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Monarchial Tendencies in the United States from 1782 to 1787

MONARCHICAL TENDENCIES IN THE UNITED STATES FROM 1782 TO 1787

BY

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I HEREBY RECOMMEND THAT THE THESIS PREPARED UNDER MY SUPERVISION BY Louise Burnham Dunbar

ENTITLED Monarchical Tendencies in the United States, 1782-1787.

BE ACCEPTED AS FULFILLING THIS PART OF THE REQUIREMENTS FOR THE DEGREE OF Master of Arts in History

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PREFACE

The purpose of this study of "Monarchical Tendencies in the United States" is not iconoclastic. It is, rather, constructive, since it is an attempt to follow up certain brief assertions of standard historians in a manner to give a more complete picture of the political situation in the period treated.

Some writers have characterized as absurd the assertions that there were monarchical tendencies in the United States in the first few decades after the Revolution.[1] On the other hand, so eminent an authority as Professor Farrand "wonders if there were not some thoughts of monarchy."[2] The present work is not offered as an exhaustive treatment, but with the hope that it may serve as a nucleus for further investigation.

The topic was discussed in several sessions of the American History Seminar this year, and the writer is indebted to members of the Seminar, and most especially to Professor Greene, for valuable suggestions.

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[1] For example, see Charles J. Stille's "Life and Writings of John Dickinson," Vol. I, p. 234.

[2] Farrand, "The Framing of the Constitution," p. 174.

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CHAPTER I

Introduction.

A letter which Washington wrote to John Jay in the summer of 1786 contains a passage which furnishes several points of departure for the present investigation. Had he expanded the ideas expressed therein, the problem of the nature and extent of monarchical tendencies on the eve of the Convention would be devoid of many of the difficulties that now confront us. I refer to the following paragraph:

"What astonishing changes a few years are capable of producing. I am told that even respectable characters speak of a monarchical form of government without horror. From thinking proceeds speaking; thence to acting is often but a single step. But how irrevocable and tremendous! What a triumph for our enemies to verify their predictions! What a triumph for the advocates of despotism to find, that we are incapable of governing ourselves, and that systems founded on the basis of equal liberty are merely ideal and fallacious! Would to God, that wise measures may be taken in time to avert the consequences we have but too much reason to apprehend."[1]

There is sufficient evidence of Washington's general sincerity and truthfulness to eliminate any question as to falsification in this letter. The problem of its critical evaluation as source material is whether or not there is reason to believe

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[1] Mount Vernon, August 1, 1786, Washington's "Writings," XI, p. 55.

that its writer was sufficiently acquainted with the situation to make advisedly such statements as those quoted. As is well known, Washington had retired to private life at the close of the Revolutionary War, and at the time he wrote this letter was living quietly at Mount Vernon, busy with his own private affairs. He was not, therefore, in close personal touch with governmental bodies, nor, since he did not travel, did he have a stock of personal observations on parts of the country beyond his own neighborhood.

On the other hand, a survey of Washington's correspondence for these years[1] bears witness to his interest in public affairs and to his opportunity to learn of them from men whose facilities for observation were superior to his own.[2] Still more important, perhaps, is Washington's statement that his house might be compared to a "well resorted tavern" for "strangers and people of first distinction."[3] We may conclude that he made good use of the opportunity to elicit from these travellers information as to the political conditions in the parts of the country with which they were familiar.[4]

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1 Washington's "Writings," X-XI.

2 James Madison, Alexander Hamilton, John Jay, et cetera.

3 Washington to his mother, Mount Vernon, February 15, 1787; "Writings," XI, p. 117.

4 The weight of the evidence seems against literal interpretation of Washington's assertion to Jefferson, in a letter of August 1st, 1787, that he was "too much secluded from the world to know with certainty" public affairs. ("Writings," XI, p. 51).

The first sentence in the paragraph quoted is important as bearing witness to the existence of a reaction counter to that against the Executive which had followed the outbreak of the Revolution. At that time the Governors had been in ill repute as having "too much flavour of royalty and high prerogative,"[1] and as being the "detested agents of royalty."[2] The political disintegration, (and the evils resulting therefrom), which followed the War, were well calculated to disgust many people with the existing order of things, and to dispose them to look towards the opposite extreme for reform.[3]

The expression "Even respectable characters" is one which has a double suggestion; that monarchical tendencies existed among persons whom Washington considered "respectable," and also among others whom he did not honor with this term. One is somewhat embarrassed by the absence of an explanation by Washington as to his use of the term in this connection, but considering that he was an aristocrat, a "typical English country gentleman," one may suspect that the term has more connection with class distinctions than with moral categories. On this assumption the phrase suggests the question, "Have we evidence that monarchical tendencies did exist among both the classes and the masses at this time?"

As to popular sentiment on the subject, much may be said

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[1] Fiske, "Critical Period," p. 66.

[2] Ibid., p. 67.

[3] Compare Washington, "Writings," XI, p. 55.

on both sides. One may choose between Franklin's opinion that there is "a natural inclination" in the masses of mankind to kingly government, as giving more "the appearance of equality among citizens,"[1] and Beveridge's conclusion that Tom Paine's political philosophy exerted a powerful influence over "the people" at this period, and made them hostile to any restraint by government.[2] This subject is discussed more fully in a later chapter.[3]

Certain respectable persons, friends of Washington, entertained opinions which might have savored of monarchy to him. He may have regarded Jay's desire for a strong centralized government as such. The actual draft drawn up by Jay, some months later, provided for a "governor-general limited in his prerogatives and duration," who, together with a council should have a negative on the legislature.[4] It also included a senate to hold office for life. Hamilton, too, a regular correspondent of Washington throughout these years, may have expressed some ideas of the type of those in the plan he later presented to the Convention, which were considered monarchical by many.[5] Washington may have known

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1 June 2; Farrand I, p. 83.

2 Beveridge, "Marshall," I, pp. 288-289.

3 Below, Chap. VII.

4 Jay to Washington, January 7, 1787, Jay's "correspondence," III, p. 227. Jay also says, "Shall we have a king? Not in my opinion while other experiments remain untried. Might we not have a governor-general," etc. For a summary of Jay's plan see North American Review, October, 1827. p. 263.

5 See below, chaps, IV-V,pp.44,51-54.

of monarchical tendencies in Gorham's opinions, either from personal acquaintance with him, or through friends, if, indeed, Gorham did entertain such views, as there is reason to believe.[1]

A discussion of monarchical tendencies at this time would be incomplete without a consideration of the Cincinnati. Organized "to perpetuate the friendships formed in the war, to deliberate in secret on the welfare of the country,"[2] and for certain charitable purposes,[3] they soon fell into popular disfavor, due to the suspicion that they were aristocratic and even monarchical in their tendencies.[4] While many democratic souls feared and hated them, there is evidence that loyal Englishmen hailed them gladly as a means to the restoration of English rule.[5]

Washington would not admit that there were any grounds for such suspicions, although he did urge prudence upon the society.[6] M. Otto, on the other hand, writing to the French Secretary of State for Foreign Affairs, in June, 1787, said that the Cincinnati, as public creditors, desired a "solid government" and proposed "to cast all the States into a single mass and place at their head the gallant Washington with all the prerogatives and powers of a

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1 See below, chap. II.

2 Bassett, "History of the United States," p. 229.

3 Washington's "Works," XI, p. 15.

4 Ibid., pp. 14-15.

5 Humphreys to Hamilton, September 16, 1787; Hamilton's "Works," I, p. 443.

6 Washington's "Writings," XI, pp. 14-15.

crowned head." They even threatened "to bring about this revolution themselves, by force, as soon as they should be convinced of the uselessness of the present convention." He added, however, that this project was "too extravagant to merit the least discussion," since the society was "too feeble and unpopular to make any impression."[1]

Gerry, at the time of the Convention, professed to suspect the order of no bad motives, although he feared their influence. If the election of the chief magistrate be left to the people, their ignorance, he urged, "would put it in the power of some one set of men dispersed through the Union & acting in Concert to delude them into any appointment... [S]uch a Society ... existed in the Order of the Cincinnati. They were respectable, United, and influential... His respect for the characters composing this Society could not blind him to the danger & impropriety" of the election falling into their hands "in every instance."[2]

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[1] Writer's translation of M. Otto's letter to Comte de Montmorin, June 10, 1787; Farrand, III, pp. 43-44.

[2] M., July 25; Farrand, II, p. 114. [In references to Farrand's "Reports," I and II, the capital letter refers to the author of the particular record used. Thus M. is for Madison's notes, Y. for Yates', K. for King's, Mc. for McHenry's, P. for Pierce's, Pa. for Paterson's, H. for Hamilton's, P. for Pinckney's, Ma. for Mason's Notes, and J. for the official Journal. (See "Introduction," Farrand, I). The quotations are not necessarily the speakers' own words, but those ascribed to them by the records].

There is one instance which bears striking witness to the existence, in 1782, of a desire for a monarchy among some members of the army, namely, the Nicola letter which was written by a man who later was a charter member of the Pennsylvania branch of the Cincinnati.[1] Colonel Lewis Nicola was on terms of intimacy with Washington at the time of the affair, and seemingly a go-between who communicated to the commander-in-chief the complaints which the officers made against Congress.[2]

The reason for writing the letter was explained as the fear that Congress would fail properly to remunerate the army, already in a wretched condition due to congressional neglect. The writer then discussed various forms of government, concluding that republics' were inferior to all in regard to establishing stability and securing individual rights. He inferred that America could never hope to become a prosperous nation under a republican government, and pointed to the English form as the most successful the world had ever seen.[3]

After considering, in some detail, the financial operations of the war and the resulting burdens of taxation, he added that "This must have shown to all, and to military men in particular, the weakness of republics" and the contrast to "the exertions

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1 New Int. Enc., XVII, p. 135.

2 Sparks' note, Washington's "Writings," X, p. 23.

3 Ibid.

the army had been able to make by being under a proper head." For this reason he had "little doubt that when the benefits of a mixed government" were duly considered, such would be "readily adopted." And, finally, Nicola expressed the belief that it would be "uncontroverted," that the same abilities which had led the American army through seemingly insurmountable difficulties to "victory and glory," would be most likely to direct the people "in the smoother paths of peace."[1]

That Nicola was well aware of a formidable opposition to monarchical forms is seen in his admission that, since some people had "so connected the ideas of tyranny and monarchy, as to find it very difficult to separate them," it might "be requisite to give the head of such a constitution" as he proposed, "some title apparently more moderate."[2] However, even such an Augustan concession to the forms of republicanism was meant to be but temporary for he added "but if all other things were once adjusted, I believe strong arguments might be produced for admitting the title of King, which I conceive would be attended with some material advantages."[3]

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[1] Sparks' note, Washington's "Writings," X, p. 23.

[2] Nicola may have had in mind the title "Stadtholder." (See below, chap. VI). A study of the supposed movement to make the Duke de Broglie some such official in the Revolution might be made in this connection.

[3] Sparks' note, Ibid., pp. 2, 3-24.

It seems reasonable to believe, as does Sparks, that Colonel Nicola was not advancing this plan wholly on his own responsibility, but was the spokesman of "a party in the army, neither small in number, nor insignificant in character, prepared to second and sustain a measure of this kind, which they conceived necessary to strengthen the civil power, draw out the resources of the country, and establish a durable government."[1]

Washington's reply to Nicola's letter is quoted at some length since it so clearly and forcefully expresses his attitude on the subject.

"With ... great surprise ... I have read ... the sentiments you have submitted to my perusal. Be assured, ... no occurrence in the course of the war has given me more painful sensations, than your information of there being such ideas existing in the army, as you have expressed, and I must view with abhorrence and reprehend with severity. For the present the communicatn of them will rest in my own bosom, unless some further agitation of the matter shall make a disclosure necessary.

"I am much at a loss to conceive what part of my conduct could have given encouragement to an address, which to me seems big with the greatest mischiefs, that can befall my country. If I am not deceived in the knowledge of myself, you could not have found a person to whom your schemes are more disagreeable. ..... Let me conjure you ... if you have any regard for your Country, concern for yourself or posterity, or respect for me, to banish

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[1] Sparks' note, Ibid., p. 24.

these thoughts from your mind, and never communicate, as from yourself or any one else, a sentiment of the like nature."[1]

Despite Washington's promise of secrecy such an affair could hardly have been kept quiet, especially since it must have involved a number of persons at the start, as is suggested in the phrase "or any one else," as well as by the general circumstances of the case. It probably added force to the ideas of outsiders that the Cincinnati favored monarchy. On the other hand, it may be noted that any knowledge of the letter which Nicola's superiors may have had did not prevent his promotion to the rank of brigadier-general the next year.[2]

The movement instigated by the Newburgh address,[3] which was skillfully terminated by Washington before it became actually destructive or even theoretically constructive, was suggestive of the germs of rebellion against Congress which existed in the army. The disgraceful flight of Congress before the mutinous soldiers in Pniladelphia[4] was another incident which may have contributed to the idea that the army was anti-congressional and therefore, perhaps, monarchical.

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[1] Washington to Nicola, May 22, 1782; Washington's "Writings," X, pp. 21-22.

[2] New Int. Enc., XVII, p. 135.

[3] Bassett, "Hist. of the U. S.," p. 224. It may be noted that while Washington greatly respected the army officers in general, there was at least one character connected with the Newburgh address whom he probably would not have complimented with the adjective "respectable," namely, General Gates.

[4] Ibid., pp. 224-225.

Washington's exclamation that the establishment of a monarchy would be a triumph for the "advocates of despotism" suggests the question as to contemporaneous opinion abroad on the best form of government for the United States. In a letter to the Chevalier de la Luzerne, written the same day as the letter to Jay under consideration, Washington expresses his conviction that Europeans have been misled by the fact that "all the unfavorable features have been much heightened by the medium of the English newspapers, through which they have been represented."[1]

Josiah Tucker, the famous dean of Gloucester, said, "as to the future grandeur of America, and its being a rising empire under one head, whether republican or monarchical, it is one of the idlest and most visionary notions that ever was conceived."[2]

Although George III expressed officially the hope that America would escape the evils which always had resulted in past history from throwing off a monarchical government,[3] it is easy to detect behind his words not only a hope, but an expectation of the contrary event. King George's stubborn insistence on the continuance of the War, when many of his advisers would have given it up, leads one to believe that he may not have considered the treaty of 1783 as final, and that he anticipated a repentant return of the erring colonies.

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[1] Mount Vernon, August 1, 1786; Washington's "Writings," XI, p. 50.

[2] Fiske, "Critical Period," pp. 57-58.

[3] Ibid., p. 58.

Even Frederick the Great, a friend to Americans, contended that "no republic ... had ever long existed on so great a scale" as necessitated by the extent of the colonies, and that a monarchy would be the only alternative to disunion.[1]

The letter to Jay furnishes further evidence as to Washington's own opinion on the subject. His exclamation that a return to monarchy would be "irrevocable and tremendous" indicates that he felt that such an event would not be merely an experiment which might, in the end, strengthen democracy, but rather that it would be a case of looking the gates against liberty and throwing away the key. His reference to the operation of these monarchical tendencies as bringing "consequences we have but too much reason to apprehend," shows that he considered the introduction of monarchy as more than a mere possibility. And, finally, in the passionate expression of his hope that measures may be taken to avert this "calamity," there is a suggestion of taking definite steps to so remedy the existing evils that monarchical tendencies would no longer find a field for operation.

Some months later, under date of March 31st, 1787, Washington wrote Madison a letter containing a passage which is doubly interesting to a student of monarchical tendencies. "I am fully of opinion that those, who lean to a monarchical government, have either not consulted the public mind, or that they live in a region, which (the levelling principles in which they were bred being entirely eradicated) is much more productive of monarchical ideas,

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[1] Fiske, "Critical Period," p. 58.

than are to be found in the southern states, where, from the habitual distinctions which have always existed among the people, one would have expected the first generation and the most rapid growth of them. I am also clear, that, even admitting the utility, nay necessity of the form, yet that the period is not arrived for adopting the change without shaking the peace of this country to its foundation."[1] He proceeds to suggest that a change from the fundamentals of the present system can never be accomplished, without civil discord, unless a thorough reform of the existing system be tried and found to fail.[2]

The first point of interest is his exoneration of the Southern States from entertaining desires for monarchical government. The reference to "levelling principles" makes it quite certain that he had New England in mind as he wrote, for he had already, on other occasions, expressed his dislike of the lack of respect for rank and position in that part of the country.[3] This point is further borne out by two letters written by William Grayson, May 24th and 29th respectively, who attributes "high-toned" ideas to "the delegates from the Eastward," although with the belief that their position was not truly representative of that of their constituents.[4]

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1 "Writings," XI, p. 132.

2 Ibid., pp. 132-133.

3 See Washington's "Writings," III, pp. 17, 97.

4 Grayson to Madison, May 24, 1787, and to Monroe, May 29th, 1787; Farrand, III, p. 26 and p. 30 respectively.

A careful reading of the passage reveals further the possibility that Washington's horror of Monarchy had materially diminished in the months since his letter of August 1st, to Jay. This change may have been produced by his anxiety over the disorders in Massachusetts, concerning the progress of which he had been informed, from time to time, by General Knox.[1] Although he seemed to have been convinced that Major-General Lincoln had settled the difficulty successfully,[2] he must have felt that similar disorders might break out again, there or elsewhere, in the absence of more constructive treatment.[3]

To look ahead for a moment, Washington's position as president of the Convention precluded his participation in the debates. The last part of the quotation just made would indicate that what influence he could exert in the Convention would be not for extreme measures, but those strong enough to remedy the worst of the existing political ills, without going far enough to risk civil discord.

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1 See Washington's letter to Knox, Dec. 26, 1786, "Writings," Vol. XI, pp. 103-104, and to Lincoln, March 23, 1787; Ibid., p. 127.

2 Ibid.

3 For a profession that the existing form of government was adequate to deal with disorders, like those in Massachusetts, see Minot, "Insurrections in Massachusetts," p. 192.

CHAPTER II

Prince Henry of Prussia Invited to Become King of the United States.

The discovery, some years ago, in the Royal Prussian Archives at Charlottenburg, of a copy of a letter written by Prince Henry to General Steuben in April, 1786,[1] reawakened a spectre of monarchy which John Quincy Adams and Henry Clay, in 1825, pronounced laid forever.[2] This letter permits an interpretation which tends to verify the rumor, once rife, that Henry of Prussia was asked to become "King of the United States." The tale is given a flavor of respectability by its connection with such names as Rufus King and James Monroe, yet is no more than a rumor, for King does not give it on his own authority but merely says he received it from Colonel Miller, who claimed to have received it from President Monroe. Monroe, in turn, said he had it from General Armstrong, and that General Hull had the papers.[3] On the other hand, it is possible to show that various individuals in the chain of transmission had opportunities to know of the Henry of Prussia affair, if it ever took place.

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1 Krauel discusses this letter in an article "Prince Henry of Prussia," in the Am. Hist. Rev., Oct. 1911, pp. 44-51.

2 King's "Life and Correspondence," VI, p. 647. Yet King did not definitely deny that such a proposition had been made, nor that he had some part in it, but rather excused the existence of such tendencies in the Convention period, according to quotation by T. H. Benton, printed in Farrand, III, p. 466.

3 Memorandum of King, May 10, 1824; King's "Life and Correspondence," VI, pp. 643-644. If the papers referred to ever existed they may have perished with other of Hull's belongings, in the Detroit fire of 1812.

Colonel James Miller, a soldier and politician of the period, may have become known to King through King's son John, who was present with Miller at Lundy's Lane and greatly admired his heroism on that occasion.[1] Although King's correspondence, as published, contains no letter from Miller, the fact does not necessarily prove that King did not know him and receive from him the story to which reference is made in the memorandum of May 10th.

James Monroe served three years in the Congress under the Confederation, just before the change to the new government.[2] In a letter to General Jackson, in 1816, he wrote that while in Congress he saw indications that "some of the leaders of the federal party entertained principles unfriendly to our system of government.....and that they meant to work a change in it, by taking advantage of favorable circumstances. .....It was an epoch at which the views of men were most likely to unfold themselves, as, if anything favorable to a higher toned government was to be obtained, that was the time. ..... No daring attempt was ever made, because there was no opportunity for it."[3] Apparently, then, Monroe, although in Congress with Gorham at the time the invitation was supposed to have been sent, knew nothing of the affair at the time. The letter does, however, indicate that Monroe would have been much interested in such a charge as Armstrong made.

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1 King's "Life and Correspondence," V, p. 408.

2 Letter of Dec. 14, 1816; Monroe's "Writings," V, p. 343.

3 Ibid., pp. 342-343.

Two facts in Armstrong's career may have had some connection with the case in hand. He was the author of the Newburgh address, and as such disgusted with the weakness of Congress under the Confederation.[1] He was Secretary of War during 1813 and 1814,[2] and in this capacity may have learned much about Hull's affairs, during the court martial of the latter. He had, however, an opportunity for more direct information concerning the Prince Henry affair than he could have obtained from Hull, for he spent the winter of 1787-88 in the same lodging-house as General Steuben, who is supposed to have transmitted Gorham's letter to the prince.[3]

There seems to be no evidence, outside Armstrong's assertion, that Hull had papers that proved the reality of the Prince Henry affair. Steuben may have suggested something of the sort to Armstrong in the winter they spent beneath the same roof. The test of the story itself by the standards of probability involves a study of three persons, Gorham who is supposed to have written the letter, Steuben who is supposed to have transmitted it, and Prince Henry who is supposed to have received it.

Gorham, three years a member of the Congress of the Confederation, (its president in 1786),[4] and later a prominent member of the

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1 Fiske, "Critical Period," p. 109; also New Int. Enc. II, p. 157.

2 New Int. Enc. II, p. 157.

3 Kapp, "Life of Steuben," p. 543.

4 William Pierce, "Character Sketches of Delegates to the Federal Convention," Farrand, III, p. 88.

Federal Convention, was "much in the esteem of his country-men."[1] His activities in the Federal Convention bore witness to his earnest desire for a more powerful central government for, on the whole, his was a "hightoned" point of view at that time.[2] In all probability his sentiments were much the same before the calling of the Convention, with the exception that he might have felt forced to look to more stringent remedies before the Convention appeared as a possible solution of the problem. Even so, would he have committed himself to such a measure in view of his official position in Congress? I believe that this question may be answered in the affirmative, since the guarded terms in which Prince Henry couched his reply prove that the original communication was made in a very confidential way. Granted that Gorham had entertained such views, his influence on potential monarchical tendencies in the convention cannot be estimated by his speeches in its sessions. A man who was "perspicuous and full"[3] in debate must have been a central figure in the informal discussions which doubtless took place among the delegates out of session.[4] Although his "very good sense"[5] would have restrained him from

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1 William Pierce, "Character Sketches of Delegates to the Federal Convention," Farrand, III, p. 87.

2 For Gorham's stand on various measures see "General Index;" Farrand, III, pp. 660-661.

3 William Pierce, Ibid., p. 88.

4 See for example, McHenry's accounts of meetings of the Maryland Delegation; Farrand, II, pp. 190-192, and 210-212.

5 William Pierce, "Character Sketches;" Farrand, III, p. 87.

uttering sentiments which he felt would shock the majority of members, he probably would have supported a monarchical proposition had such a proposal received any general approval.

Gorham might have expected that Henry would be interested in such a proposition. This point is best approached through Steuben's interest in the matter, since it was doubtless he who gave Gorham, or the group in sympathy with him, direct information concerning this prince whom many Americans admired as one of the military heroes of the age.[1] A consideration of Steuben's long controversy with Congress, which treated him with contemptible ingratitude and injustice,[2] convinces one that he had reason to desire a more responsible and competent form of government. Moreover, Steuben felt much insulted by the failure of Congress to appoint him to the position of Secretary of War, which fell vacant in 1783. Considering his services in reorganizing the American army at a critical period of the war, he rightly resented the insinuation that, as a "foreigner" he could not be trusted with the standing army of four hundred men.[3] Steuben's activities in New York, where he was associated with Hamilton,[4] prove

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1 Krauel, "Prince Henry," p. 45, foot note.

2 Kapp, "Life of Steuben," chap. XXV.

3 Ibid., p. 526.

4 For the basis of his friendship with Hamilton see Kapp "Life of Steuben," p. 552. For his Federalist sympathies see Ibid., p. 584.

his interest in American politics; his writings on the history of the executive in various forms of government show that this interest centered especially on the head of the state.[1] Although it is probable that Steuben did not believe that Henry would accept the position of head of the American state,[2] he might well have wished to be the means of transmitting such a complimentary offer to his friend and former commander.[3] It seems reasonable to believe that it was an expression by Steuben of his confidence that Henry was the person who could best fill the position of king, should it be created, which called forth Henry's words, "Vos bonnes intentions sont bien dignes de mon estime, elles me paraissent l'effet d'un zèle que je voudrais reconnaitre."[4] What reason had Steuben to believe that Henry would be, at least, interested in a monarchical constitution for the United States, and what chance was there that the prince might have accepted such an offer? The Marquis de Bouillé, an intimate friend of Henry, who was seeing him frequently at

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1 Kapp "Life of Steuben," p. 584.

2 See below, page 21.

3 Kapp "Life of Steuben," p. 60-61.

4 Quoted by Krauel, "Prince Henry," p. 47.

about this time,[1] records that Henry's discussions "roulaient sur la politique, l'histoire, princepalement celle des événements modernes."[2] Steuben probably knew of this interest of Henry of Prussia in contemporary history and government.[3] According to the Mulligan anecdote, Steuben felt little hope of an acceptance of the American crown by the prince, for he said that Henry "would not have the patience to stay three days" among such people as the Americans.[4] According to King's memorandum, Steuben stated that Henry had been offered the crown by Gorham and had refused for the reason that "the Americans had shown so much determination agt. their old King, that they would not readily submit to a new one."[5]

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1 De Bouillé, "Souvenirs," p. 30.

2 Ibid., p. 32.

3 Krauel, in his discussion of the letter, suggests that Henry was urging the Americans to make no change without the concurrence of their "vrais allies," the French, because the importance of a European alliance loomed much larger to statesmen of that day than to one looking back upon the period. (Krauel, "Prince Henry," pp. 49-50.) Some new light is thrown on this part of Henry's letter by a consideration of de Bouillé's references to the prince's sympathy with French ideas which he says were so pronounced that "c'était comme anti-Henri que l'on était à Berlin antifrançais." (De Bouillé, "Souvenirs," p. 48.)

4 The Mulligan Anecdote is not well substantiated, since Mulligan was eighty-six years old when he told the tale to Kapp. It is not even certain, though probable, that Mulligan himself was Kapp's source. Se Kapp, "Life of Steuben," pp. xii, 584.

5 King's Memorandum, "Life and Writings," XI, p. 643.

A more real reason may have been that Henry had long manifested an intention to rule under the name of his nephew, when the latter should succeed to the Prussian throne. The death of Frederick the Great,[1] the news of which had probably not reached America by November 2nd, (the date in which the elusive letter to Henry was written), had given the prince his chance. However, if one accepts De Bouille's statement that Henry failed to realize this ambition and retired from court in the spring of '87, "gemissant sur la chose publique, qu' il, regarda des lors comme perdue,"[2] the suggestion may be made that had the Federal Convention, (already in session before Henry's answer reached America), decided upon a monarchical form of government, Prince Henry of Prussia would have been a candidate for the title rôle.

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1 De Bouillé, "Souvenirs," p. 48.

2 Ibid., p. 48.

CHAPTER III

The Convention, Its Purposes, Its Decision for a Single Executive.

The theory of free governments probably contains no problem more difficult than that of the constitution and powers of the executive.[1] In the Federal Convention "the subject underwent a very elaborate discussion ... with much diversity of opinion."[2,3] There had been no national executive under the Confederation, the whole powers of government being vested in Congress, and, during the recess, in a still feebler body, the committee of the States, appointed by Congress.[4] Thus, "It was a new officer whom they were creating, and he loomed all the larger in their eyes that from the ... limitations of their experience they were compelled to think of him in terms of monarchy, the only form of national executive power they knew."[5]

In order to appreciate the purposes of the Convention,

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1 Compare Story, "Commentaries on the Constitution," §1410.

2 Story, §1411.

3 A. H. Everett, in his "Life of Patrick Henry," p. 360, says the framers of the Constitution were "so entirely absorbed by the question of the relative influence of the states in Congress, that they felt comparatively little interest in the executive department, and continued almost mechanically the form in use under the colonial system." This view is not borne out by the facts.

4 Story, §1413.

5 Farrand, "Framing of the Constitution," p. 162.

and the means by which the delegates sought to carry them out, it is necessary to know how long a duration was expected for the plan to be evolved. Some members, as Hamilton, felt that this was the time "to decide for ever the fate of Republican government."[1] King asserted that it was "no scheme of a day" calculated to merely "postpone the hour of Danger."[2] Others, while perhaps agreeing with this sentiment in its broader aspects, believed that the exact form in which these principles found expression was a temporary expedient. Thus Lansing, arguing for strict definition of their commissions, said that if the resulting plan should prove defective, the people would "entrust a future convention again to amend it."[3] Mason was convinced that a second Convention would "know more of the sense of the people, and be able to provide a system more consonant to it,"[4] and Ellsworth advocated halfway measures, on grounds of caution, since, he said, "The other half may be added, when the necessity shall be more fully experienced."[5]

The idea of a second Convention was strongly opposed by Charles Pinckney who said that the deputies to it, "coming together under the discordant impressions of their constituents," would never agree.[6]

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1 M., June 26; Farrand,I, p. 424.

2 K., June 19; Ibid., p. 332.

3 Y., June 20; Ibid., p. 345.

4 M., September 15; Ibid., II, p. 632. Randolph held similar views.

5 M., June 29; Ibid., I, p. 469.

6 M., September 15; Farrand,II, p. 632.

Madison believed that "leavg.[leaving] future amendments to posterity"[1] was a "dangerous Doctrine," citing as proof the cases of the failure of attempts to reform the Amphictyonic League and the Constitution of the United Netherlands.[2] He also asserted that "the fear of Innovation, and the Hue & Cry in favor of the Liberty of the people will prevent the necessary Reforms."[3] "We should run every risk in trusting to future amendments," said Hamilton, on this same day.[4]

Madison thought the general desire in Convention was for a system which should "last for ages" and that they should, at the very outset, provide for "the changes which ages [would] produce."[5] The same sentiment was expressed by Wilson in the following words: "When we are laying the foundation of a building, which is to last for ages, and in which millions are interested, it ought to be well laid."[6] This thought for the distant future proves that although

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1 Gerry, on June 5, had expressed the argument for amendments thus, "... the novelty & difficulty of the experiment requires periodical revision. The prospect of such a revision would also give intermediate stability to the Govt." M; Farrand,I,p.122.

2 K., June 29; Farrand,I, p. 478.

3 Ibid.

4 M., June 29; Farrand,I, p. 467.

5 M., June 26; Farrand,I, p. 422.

6 Y., June 25; Ibid., p. 413. See also Madison's words, M., August 7, Farrand,II, pp. 203-204, and those of Morris, M., July 5; Farrand,I, p. 529.

their trust in Washington perhaps influenced the powers given to the President, the members of the Convention were attempting to look beyond his administration.

Quite unlike these views were others to the effect that the present plan should be but a temporary expedient. Thus Washington said, even admitting the utility and necessity of a monarchical form, "The period is not arrived for adopting the change without shaking the peace of this country to its foundation."[1] There is just a suggestion here that he believed that such a period would arrive eventually. Gerry, speaking on centralization said the community was "not yet ripe" for such a measure.[2]

Still others believed that from the general trend of human affairs or from the nature of the plan of the Convention the United States would eventually become a monarchy. This idea was advanced quite calmly by Franklin, together with the advice that the most that the Convention could do was to postpone such an event.[3] Randolph[4] and Mason[5] could not view the situation in such a philosophical manner, and refused to support the Constitution on the grounds that it would end either in monarchy or a tyrannical aristocracy.

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1 Washington to Madison, March 31, 1787; Washington's "Writings," XI, p. 132.

2 M., June 2; Farrand, I, p. 80.

3 M., June 2; Farrand, I, p. 83.

4 M., September 10; Farrand, II, p. 564; also letter from R. H. Lee, October 16, 1787, Conway, "Edmund Randolph," p. 86.

5 M., June 4; Farrand, I, p. 101, and M., September 15; Farrand, II, p. 631.

A more specific form was given to this anticipation by Madison, on June 29th, namely that, "A standing military force, with an overgrown executive will not long be safe companions to liberty."[1] Another source of danger was the doctrine of "Implied Powers." Although expressed by Hamilton as early as 1780, and by Morris immediately after the Convention,[2] it was not a subject of debate in the Convention itself. Hamilton and a few kindred spirits very probably had it in mind and may, in this sense, be said to have "insidiously" laid the "Foundations of a future Monarchy," despite Mr. Baldwin's assertion that there was no appearance of such intentions on the part of any member of the Convention.[3]

The Convention was authorized "for the sole ..... purpose of revising the Articles of Confederation" and of reporting to Congress and the state legislatures such provisions as they should agree necessary to "render the federal constitution adequate to the exigencies of government & the preservation of the Union."[4] In Washington's words, the object was to remedy "the situation of

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1 M; Farrand,I, p. 465.

2 Shea,"Life of Hamilton," p. vii: for Hamilton's letter to Duane, September 3, 1780, see "Works," I, p. 151. It was in operation within a few years after the Convention to such an extent that many were apparently sincere in the belief that by Jefferson's election in 1801 "this country had been rescued from the English monarchical system which his opponents were striving to establish." Life and Writings of John Dickinson," p. 284.

3 Ezra Stiles' Diary, December, 1787, Farrand,"Framing of the Constitution," p. 162; Farrand, III, p. 169.

4 Resolution of Congress, February 21, 1787; Farrand, III, p.14.

the general government" which was "shaken to its foundation, and liable to be overturned by every blast."[1] In Madison's fuller description it was to prevent "violations of the laws of nations & of Treaties," "encroachments on the federal authority," and "trespasses of the States on each other;" and to secure a "good internal legislation & administration to the particular States."[2] A study of the Convention records shows that the members were, in general, "united in their objects," but not, as some hoped in the early days of the work, "equally united in the means of attaining them."[3,4]

Comments on the general diversity of opinion in the Convention throw light on the special consideration as to opinion on the Executive. Since "a very large Field" opened before them "without a single straight or eligible Road" that had been "trodden by the feet of Nations"[5] it was "to be expected" that there would be a "great diversity of sentiment,"[6] and much "groping ... in the dark to find political truth."[7] One cannot deny that at times the

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1 Washington to Jefferson, May 30, 1787; Farrand, III, p.31.

2 Madison's speech of June 19th, M; Farrand, I, pp.316-319.

3 Reference to Dickinson's opinion in letter of Benjamin Rush to Richard Price, June 2, 1787; Farrand, III, p. 33.

4 It would seem from the facts that the Philadelphia paper which reported the unanimity so great that it had been proposed to call the Convention room "Unanimity Hall" must have been "inspired." See Extract from "Pennsylvania Packet;" Farrand, III, p. 60.

5 N. C. Delegates to Gov. Caswell, June 14, 1787; Farrand, III, p. 46.

6 William Samuel Johnson to his son, June 27, 1787; Farrand, III, p. 50.

7 Franklin, in Convention, June 28; M; Farrand, I, p. 451.

debaters revealed "the spirit of political negotiators" rather than that of a "band of brothers."[1] Yet one may conclude that diversity of sentiment was inevitable, and if "feeble minds [were] for feeble measures & some for patching the old garment...[and] vigorous minds... advocate[d] a high toned Monarchy," these extremes were necessary to a result which had the advantages of moderation.[2]

Fiske believes that most of the delegates were not clear as to whether they were "merely to patch up the articles of confederation, or to strike out into a new and very different path. There were a few who entertained far-reaching purposes; the rest were intelligent critics rather than constructive thinkers."[3] He further believes that the New Jersey plan "more nearly represented what most of the delegates supposed they were sent to do" than did any other plan, and that it was only the fact that it was not presented until the delegates had become accustomed to certain radical ideas that prevented its acceptance.[4] On the other hand, George Mason, writing from Philadelphia on May 21st, 1787, believes that "the most prevalent idea" at that time was for "a total change of the federal system," and the institution of a national executive separate from the legislative and judiciary.[5] Very likely Mason

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1 Gerry, June 29; M; Farrand, I, p. 467.

2 Nicholas Gilman to Joseph Gilman, July 31, 1787; Farrand, III, p. 66.

3 Fiske, "Critical Period," p. 223.

4 Farrand, "Framing of the Constitution," p. 89.

5 Mason to Arthur Lee, May 21, 1787; Farrand, III, p. 24.

had talked with some of the members who "entertained far-reaching purposes."

The effective purposes of the delegates were limited by their interpretation of their commissions. After considerable discussion they decided that the Convention was not limited to the form of the Articles of Confederation, and for the following reasons: first, that the "fiat" was not to be in the Convention but in the people,[1] and second, that even if their powers were limited, public welfare justified overstepping the limits in such a crisis.[2] According to the first mode of reasoning, any monarchical propositions which might be made would be limited only by the prospect of non-acceptance by the people; according to the second, the Convention might act contrary to the popular interpretation of commissions if they were sure that their action would in the end promote the public welfare.

An adoption of the first resolution of the New Jersey plan[3] would have precluded any hopes of "monarchical" forms, for it

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[1] See M., June 16; Farrand, I, p. 253; Y., June 18; Farrand, I, p. 295.

[2] Y., June 16; Farrand, I, p. 262.

[3] The Pinckney plan, introduced May 29th, had no effect except as it may have been referred to by the Committee of Detail. It provided for a single executive with considerable power, chosen annually by the Senate and House of Delegates. See "Committee of Detail," Farrand II, pp. 134 f.

proposed merely a revision, correction, and enlargement of the Articles of Confederation.[1] The way to a departure from the existing form was opened, on May 30th, by the adoption of the following resolution; "that a national Governt. ought to be established consisting of a supreme Legislative Executive & Judiciary."[2]

It is obvious that men who believed in a plural executive would not countenance monarchical tendencies. There was considerable opposition to unity in this department, in fact, the Virginia plan, as presented May 29th,[3] had been indefinite on the point, for the excellent reason that the Virginia delegation could not agree on it.[4] The issue had to be fairly faced on June 1st when Mr. Wilson, seconded by Mr. Charles Pinckney, moved that the Executive consist of a single person. The silence which followed was relieved by Franklin's observation that this was an important point deserving discussion. Thereupon Mr. Rutledge, after

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1 M; Farrand,I, p. 242.

2 M., May 30; Farrand,I, p. 35.

3 M; Farrand,I, p. 21.

4 Randolph favored a plural executive, on the grounds that unity in this department was "the foetus of monarchy" and that "vigor, despatch & responsibility could be found in three as well as in one man." M., June 1; Farrand I, p. 66. Note that Sherman's opposition to unity was that the Executive was merely "an institution for carrying the will of the Legislature into effect" and accordingly the number should not be fixed, but left to the discretion of the Legislature from time to time. M., June 1; Farrand, I, p. 65.

deprecating the "shyness of gentlemen on this and other subjects" expressed his preference for a single Executive, though without the power of war and peace. Wilson expressed himself to be of similar opinion, since a single magistrate would give the "most energy dispatch and responsibility to the office."[1]

Wilson denied that unity would be "the fetus of monarchy" and contended that it would rather be the best guard against tyranny.[2] The question was then postponed "the Committee seeming unprepared for any decision on it."[3] When reopened the following day Mr. Charles Pinckney's supposition that the reasons for unity were so obvious that no member would oppose[4] it proved ill founded, for Randolph straightway combatted it "with great earnestness."[5] Mr. Sherman on June 4th tried to pour oil on troubled waters by suggesting that associating a council with the Executive was necessary to win the people to a single Executive. Wilson, however,

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1 M., June 1; Farrand,I, p. 65.
2 Ibid., p. 66.
3 Ibid.
4 M., June 2; Farrand, I, p. 88.
5 Ibid.

replied that a Council more often covered than prevented malpractices.[1] Gerry probably expressed the opinion of many when he upheld unity for the reason that a plurality would be "extremely inconvenient ... particularly in military matters."[2] The question was temporarily settled by a vote of 7 to 3 in favor of a single executive.[3]

Several weeks later, (July 17th), on the question to agree to the report from the Committee of the Whole House, "That a national Executive be instituted to consist of a Single Person," the vote was 10 to 0 in the affirmative.[4] The last word on the subject had not yet been said, however, for on July 24th, in the course of discussion on the mode of appointment, Mr. Williamson "did not like the Unity in the Executive," preferring an executive power lodged in three men, to more fairly represent the separate interests of the three sections of the country.[5] He further objected to a single magistrate as being an "elective King" who would "spare no pains to keep himself in for life, and ... lay a train for the succession of his children."[6]

While the matter of executive powers had an important

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1 M., June 4; Farrand,I, p. 97.
2 Ibid.
3 Ibid.
4 J., July 17; Farrand,II, p. 22.
5 M., July 24; Farrand,II, p. 100.
6 Ibid., p. 101.

connection with the monarchical problem, the connection was not so clear in the minds of the delegates as that in the case of the unity and tenure of the executive. Three questions for the future research may be suggested at this point: 1st, To what extent did the expectation that Washington then "at the height of his popularity," would be the first president affect the extent of power vested in that office?[1] 2nd, What connection was there between the problem of powers and other problems, such as the unity of the executive, for instance?[2] 3rd, What is the significance of the treatment of the matter by the Committee of Detail, and of the Convention's acceptance of the powers as increased by this Committee?[3]

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[1] Farrand, "Framing of the Constitution," p. 163; Butler, M., June 4; Farrand, I, p. 100.

[2] Farrand, "Framing of the Constitution," pp. 160-161.

[3] See "Committee of Detail," General Index, Farrand, III, p. 655.

CHAPTER IV

Belief in the Existence of Monarchical Tendencies in the Convention, and the Facts of the Case.

An attempt may now be made to answer the following questions: To what extent did a belief exist that the Convention contemplated a monarchical government, and what justification was there for this belief?[1] During the summer months there were persistent rumors to this effect, the most persistent form being that the Bishop of Osnaburgh, second son of George III, was to be invited to occupy the new throne.[2] These rumors were positively denied in at least one newspaper of the time, and also in numerous letters written by members of the Convention.[3] But these denials may be suspected of being "inspired"by interested persons, and the case must rest on its own merits.

A study of the Convention records reveals nothing to show that there was any thought of the British prince as a possible king of the United States. On the other hand, it is not possi-

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[1] It should be remembered, in this connection, that the proceedings of the Convention were secret.

[2] See extract from the New York "Daily Advertiser," Aug. 18, 1787; Farrand, II, p. 333, editor's footnote, and letter of Sydney to Lord Dorchester, Sept. 14, 1787; Farrand, III, pp. 80-81.

[3] Alexander Martin to Governor Caswell, Aug. 20, 1787; Farrand, III, p. 73, and extract from the "Pa. Journal," Aug. 22, 1787; Ibid., pp. 73-74.

ble so readily to conclude that the making of a monarchy was not in the minds of the delegates.

An appreciation of the character of the members of the Convention[1] is essential to an understanding of the problem just suggested. On the one side is Beard's contention that the Constitution was essentially class legislation in being "not the product of an abstraction known as 'the whole people,' but of a group of economic interests which must have expected beneficial results from its adoption."[2] If this were true, one would have a right to conclude that the people themselves may have desired a monarchical constitution, for the actual decision of a body of men pursuing the interests of their own class would be no certain indication of the national will.

On the other side of the question one might accept the assertion of a Pennsylvania newspaper that "such a body of enlightened and honest men perhaps never before met for political purposes in any country..."[3] If this be deemed true, one concludes that the Convention understood the national will and acted in accordance therewith in forming a non-monarchical constitution. One may suspect that this statement was inspired by powers within the Conven-

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[1] See Pierce's "Character Sketches of Delegates to the Federal Convention;" Farrand, III, pp. 87-97, and Beard, "Economic Interpretation of the Constitution," chap. 5.

[2] Beard, Ibid., p. 17.

[3] "Pa. Packet and Daily Advertiser," Aug. 23, 1787; Farrand, III, p. 75.

tion or having a personal interest in the success of the Convention, and is not to be taken as the final word on the subject.

It is to be regretted that we have no direct expressions of "popular opinion" on the subject. However, what contemporary expressions we have point towards a general confidence in the ability and honesty of the delegates. Franklin pronounced it "the most respectable Assembly he ever was in in his life."[1] M. Otto, writing to Count de Montmorin, said that "on n'aura jamais vu, même en Europe, une assemblée plus respectable par les talens, les connoissances, le désintéressement et le patriotisme de ceux qui la composeront."[2] William Samuel Johnson, after the Convention had been in session a month, wrote to his son that the members had "evinced much solicitude for the public weal."[3]

Again, Elbridge Gerry said in Convention, "Whatever plan may be proposed will be espoused with warmth by many out of respect to the quarter it proceeds from as well as from an approbation of the plan itself,"[4] and George Mason wrote on June 1st, that "there are upon this Convention many gentlemen of the most respectable abilities, and so far as I can discover, of the purest intentions."[5]

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1 Benjamin Rush to Richard Price, June 2, 1787; Farrand, III, p. 33.

2 M. Otto to Comte de Montmorin, April 10, 1787; Farrand, III, p. 15.

3. William Samuel Johnson to his son, June 27, 1787; Farrand, III, p. 50.

4 M., June 26; Farrand, I, p. 425.

5 George Mason to George Mason, Jr., June 1, 1787; Farrand, III, p. 32.

While not wishing to take issue with the "Economic Interpretation," I should like to state as my own conclusion that the economic status of the "Constitutional Fathers" did not effect the results of the Convention nearly as much as it affected the make-up of the Convention. In other words, the very fact that the delegates were, in general, rather large property holders, proved that they were "gentlemen of great abilities,"[1] capable of dealing successfully with large problems.

The delegates themselves expressed some fear on the score of monarchy. George Mason, writing on June 1st, said, "When I first came here, judging from casual conversations with gentlemen from different States, I was very apprehensive that soured and disgusted with the unexpected evils we had experienced from the democratic principles of our governments, we should be apt to run into the opposite extreme ... of which I still think there is some danger ..."[2]

Randolph, on June 1st, argued against unity in the executive in a manner which suggests he feared that a monarchy was desired by some of the delegates.[3] There may be an underlying significance in Wilson's answer that "The people of Amer. [America] did not oppose the British King but the parliament ... not ... Unity

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[1] Robert Morris to his sons, June 25, 1787; Farrand, III, p. 49.

[2] George Mason to George Mason, Jr., June 1, 1787; Farrand, III, p. 32.

[3] M; Farrand, I, p. 66.

but a corrupt multitude."[1] To be sure, Wilson was standing for three years and no exclusion or rotation,[2] but he may have expected that this would, in practice, amount to a tenure during good behavior. Some days later, Mason is reported as asking, "Do gentlemen mean to pave the way to hereditary Monarchy?"[3] and hoping "that nothing like a monarchy would ever be attempted in this Country."[4] The "great diversity of sentiment" to which Nicholas Gilman referred on July 31st, included an advocacy of "high-toned Monarchy" on the part of "vigorous minds and warm Constitutions."[5]

Although the Hamilton plan had not even been debated, the decisions of the Convention by August 13th had been such as to stir Randolph to exclaim that the president had the form at least of "a little monarch."[6] It was this same day that Elbridge Gerry wrote to General Warren that he sincerely hoped that the proceedings of the Convention, when complete, would "not be engrafted with principles of ... despotism," which, as he wrote, "some, you and I know, would not dislike to find in our national constitution."[7]

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1 K; Farrand,I, p. 71.

2 Ibid.

3 M., June 4; Farrand,I, p. 101.

4 Ibid., p. 102.

5 Nicholas Gilman to Joseph Gilman, July 31, 1787; Farrand, III, p. 66. Note that Hamilton's plan had been introduced six weeks before this statement, i.e., M., etc.; June 18; Farrand,I, p. 282 ff.

6 M., Farrand,II, p. 278.

7 August 13; Farrand,III, p. 69.

It may be, as Farrand suggests, that such hints were circulated to try out popular sentiment on the subject.[1]

Hamilton's plan, presented in Convention June 18th, is, of course, at the bottom of these fears and expectations. Charges that Hamilton proposed a monarchical government are censured by Farrand as "based upon garbled reports of his speech, and ... made for political purposes ... when Hamilton was the most formidable opponent of the Democratic-Republican party."[2] He further says, "Hamilton had not proposed a monarchy" but had merely "expressed himself bravely ... for a strong centralized government."[3] The evidence seems to permit of an interpretation quite different from this, namely, that Hamilton's plan contained strongly monarchical elements, and that he had some reason to believe that it might receive support.

Hamilton's defence of himself contains a suggestion that he was fortifying his position against any future publication of the Convention records. Thus in a reply to anonymous charges, (in 1792), after asserting that they were of a character to denote the "personal enemy in the garb of the political opponent," he remarks that the secrecy with which the deliberations of the Con-

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[1] Farrand, "Framing of the Constitution," p. 175. Note also the Hamilton-Wadsworth-Humphreys correspondence; Hamilton's "Works" I, pp. 440-444.

[2] Farrand, "Framing of the Constitution," p. 88.

[3] Ibid.

vention were carried on must be considered proper by "every prudent man" for "propositions, made without due reflection, and perhaps abandoned by the proposers themselves on more mature reflection, would have been handles for a profusion of ill-natured accusation."[1] Again, his assurance that "the deliberations of the Convention ... were to remain unmolested," may indicate that he had a personal interest in preserving them from becoming the material for "inflammatory declamation."[2]

He further denies that he "opposed the constitution in the ... convention, because it was too republican," offering as proof the facts that he was the only member from New York who signed it, and that he signed although it was "probably" against the will of "a large majority of his fellow-citizens, till better information should correct their first impressions."[3] On his second point it may be remarked that it convicts him, on his own confession, of valuing his opinion as to what is good for the people above their own opinions. It is possible that he might have carried this principle to still greater extremes, had he not been deterred by the thought that in the attempt to gain more the whole might be lost.

According to Madison's notes, Hamilton, on June 26th, "acknowledged[4] himself not to think favorably of Republican Govern-

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[1] Extract from J. C. Hamilton, "Hist.of the U. S.;" Farrand, III, p. 368.

[2] Ibid.

[3] Ibid.

[4] The underscoring in these three cases is not in the original manuscript.

ment" and "addressed his remarks to those who did think favorably of it, in order to prevail on them to tone their Government as high as possible."[1] King, in his notes for June 18th, cites Hamilton as saying, "I fear Republicanism will not answr. [answer] and yet we cannot go beyond it—I think the British Govt. is the only proper one for such an extensive Country—this Govt. unites the highest public strength with the most perfect individual security."[2] Again, he said that he was "as zealous an advocate for liberty as any man whatever ... though he differed as to the form in which it was most eligible."[3] On June 18th, in introducing his plan,he is quoted as saying that "it seemed to be admitted" that no good executive "could be established on Republican principles," asking if this was not "giving up the merits of the question," since it was doubtful whether there could be "a good Govt. without a good Executive." He praised the "English Model" as the only good one on this subject"[4] and criticised the republican form as "liable to foreign corruption and intrigue."[5]

To return to Hamilton's defense of himself, he stated, in 1792, that he "never made a proposition to the convention which was not conformable to the republican theory," and that "the highest toned of any of the propositions made by him, was actually voted

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1 M., Farrand,I, p. 424.
2 K., Ibid., p. 303.
3 M., June 26; Ibid., p. 424.
4 M., June 18; Ibid., p. 289.
5 H., Ibid., p. 310.

for by the representatives of several states, including some of the principal ones, and including individuals who, in the estimation of those who deem themselves the only republicans, are pre-eminent for republican character."[1] J. C. Hamilton apparently attaches much significance to the fact that when his father made this statement "nearly all the members of the convention were living,"[2] and, presumably, able to refute it if untrue. Hamilton's defense did not allay all suspicion, for an anonymous writer, in August, 1793, referred to the accusation of numerous persons, especially of Mr. Baldwin, (who had been a member of the Convention), that Hamilton had moved for a "King, Lords & Commons."[3] As late as 1803, Timothy Pickering wrote to Hamilton that a "Jacobin" leader had recently declared "That Genl. Hamilton proposed ... in the General Convention, that the President of the United States, and the Senators, should be chosen for life: that this was intended as an introduction to Monarchy."[4]

To attempt any judgment on monarchical tendencies in the Convention it is necessary to know what Hamilton and his contemporaries understood by the terms "republic" and "monarchy." Hamilton, in the "Syllabus of the Federalist," emphasized the fact that the word "republic" had been "used in various senses" and "applied to aristocracies and monarchies," referring to Rome, with

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[1] Extract from J. C. Hamilton, "Hist. of the U. S.;" Farrand, III, pp. 368-369.

[2] Ibid., p. 368.

[3] August 30, 1793; Farrand, III, p. 369.

[4] Pickering to Hamilton, April 5, 1803; Ibid., p. 397.

its kings; Sparta, with a senate for life; the United Netherlands, with its stadtholder and hereditary nobles; Poland and Great Britain with aristocratic and monarchical institutions."[1] His most direct statement on the subject, perhaps, is the following: "As long as offices are open to all men, and no constitutional rank is established, it is pure republicanism."[2]

Madison's famous definition of "republic" runs as follows: "A government which derives all its powers directly or indirectly from the great body of the people, and is administered by persons holding their offices during pleasure, for a limited period, or during good behavior. It is essential to such a government that it be derived from the great body of the society, not from an inconsiderable proportion, or a favored class of it ... It is sufficient for such a government that the persons administering it be appointed, either directly or indirectly, by the people; and that they hold their appointments by either of the tenures just specified."[3]

Hamilton favored a strong central government as the surest protection against monarchy. He also admired the British monarchy as the best form of government in the world. These two positions are not inconsistent when one considers the vagueness with which "monarchy" was defined at that time. In the first instance, Hamil-

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[1] "The Federalist," p. xliii.

[2] Y., June 26; Farrand,I, p. 432.

[3] "The Federalist," no. 39 [38], p. 246.

ton was thinking of monarchy as "tyranny," just as when he said, "If we incline too much to a democracy we shall soon shoot into a monarchy."[1] On the other hand, holding with Montesquieu "that a government must be fitted to a nation as much as a coat to the individual,"[2] he regarded forms of government as merely means to an end. And he believed that the constitutional monarchy, in the stability of its executive, possessed fundamental principles of good government, principles which, properly adapted, would meet the needs of the case in hand.

As to Hamilton's definition of monarchy, his sketchy notes in the "Syllabus of the Federalist" refer to the use of the term to describe a ruler who is independent of those governed.[3] More complete is his statement in the Convention: "Monarch is an indefinite term. It marks not either the degree or duration of power. If this Executive Magistrate [the one he had proposed] wd. be a monarch for life--the other propd. [proposed] by the Report from the Committee of the whole, wd. be a monarch for seven years."[4]

Probably many persons of Hamilton's day considered "monarchy" and "tyranny" as almost interchangeable. Paterson, for example, in expressing his opposition to a measure which would injure the small states said he "had rather submit to a monarch, to

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1 Y., June 26; Farrand,I, p. 432.

2 Hamilton to Lafayette, Jan. 6, 1799; "Works", VI, p. 388. Though later than the Convention period, this probably expresses his political philosophy at the earlier time as well.

3 "The Federalist," p. xliv.

4 M., June 18; Farrand,I, p. 290.

a despot, than to such a fate."[1] Wilson recognized and refuted this class of objections when he said, "Where the Executive was really formidable, King and Tyrant, were naturally associated in the minds of people," but "where the executive was not formidable" the Legislature and Tyranny "were most properly associated."[2]

Wilson apparently associated monarchy with aristocracy when he argued that there was no danger of monarchy in the chance that the executive magistrate should be taken from one of the large states, since the people of the three large states were no more aristocratic than those of the smaller ones.[3] Randolph, however, clearly considered the two as separate, since he compared the action being taken on the Senate in September as doing for "aristocracy" what had already been done for "monarchy."[4]

Although Randolph objected to the executive office, in the form in which it stands in the Constitution, as in some respects approaching monarchy,[5] McClurg had asserted that he was "not so much afraid of the shadow of monarchy as to be unwilling to approach it; nor so wedded to Republican Govt. as not to be sensible of the tyrannies that had been & may be exercised under that form. Itwas an essential object with him to make the Executive independent of the

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1 M., June 9; Farrand,I, p. 179.

2 M., August 15; Farrand,II, pp. 300-301. Compare his words on June 16, as reported by Madison; Farrand,I, p. 254.

3 M., June 30; Farrand,I, p. 483.

4 M., September 5; Farrand,II, p. 513.

5 M., September 5; Farrand,II, p. 513.

Legislature"[1] and although the obstacle to such independence was later removed by other means than his, it is interesting to note that he was willing to take a step much nearer to monarchy than these which Randolph later feared.

Independence on the part of the Executive was, in Mr. Sherman's opinion,"the very essence of tyranny."[2] Although he did not have in mind the monarchical form in its entirety, he probably considered this independence as a monarchical tendency, and as such to be avoided. On the other hand, Mr. Dickinson felt that since it seemed inexpedient to secure executive independence through the means afforded by the British form, other means, though inferior, should be used for this purpose.[3]

The preceding "definitions" of monarchy are gleaned from scattered references and represent individual opinion. The following considerations deal with conceptions held by considerable numbers of persons, namely, that unity and stability and all that pertained to them, were peculiar to the monarchical form of government.

Randolph insisted that even with a Council, "A unity of the Executive ... would savour too much of a monarchy."[4] Mr. Wilson refused to believe unity a step towards monarchy, insisting

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1 M., July 17; Farrand,II, p. 36.
2 M., June 1; Farrand,I, p. 68.
3 M., June 2; Farrand,I, pp. 86-87.
4 P., June 1; Farrand,I, p. 74.

that it would rather be "the circumstance to prevent it."[1]

A later and more vigorous expression of a "necessary" connection between executive unity and monarchical government is found in Williamson's speech of July 24th. It runs in part thus: "Another objection agst. a single Magistrate is that he will be an elective King, and will feel the spirit of one. He will spare no pains to keep himself in for life, and will then lay a train for the succession of his children."[2]

The connection of extensive executive powers with monarchical tendencies was not a distinct issue to the framers of the Constitution. This connection was, however, considered in an indirect way. Thus Mr. Mason admitted that a monarchy possessed secrecy, dispatch, and energy, the advantages urged for a single Executive "in a much greater degree than a republic."[3] In this same speech, Mason opposed a complete veto for the Executive on the grounds that it would tend to constitute a monarchy more dangerous than the British Government—"an elective one."[4] Another opponent of the absolute veto was Mr. Butler, who said he would withdraw his support of unity in the Executive if it was adopted.[5]

Mr. Rutledge "was by no means disposed to grant so great a power" as the appointment of judges "to any single person" for,

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1 P., June 1; Farrand, I, p. 74.
2 M; Farrand, II, p. 101.
3 Ma., June 4; Farrand, I, p. 112.
4 M., Ibid., p. 106.
5 Ibid.

he said, "The people will think we are leaning too much towards Monarchy."[1] Gerry opposed the appointment of the senate by the national executive as "a stride towards monarchy that few will think of!"[2]

A possible danger from "war powers" of the executive did not escape the attention of some in the Convention. Powers of peace and war in the executive would render that magistrate "a Monarchy, of the worst kind, to wit an elective one,"[3] according to Mr. Charles Pinckney. Randolph, in advocating impeachments, said "The Executive will have great opportunitys of abusing his power; particularly in time of war."[4]

Many, in fact most, of the members of the Convention regarded long and certain tenure so fundamental a characteristic of monarchy that they refused to adopt a long term because they considered it opposed to republican principles.[5] Thus Mason "considered an Executive during good behavior as a softer name only for an Executive for life," and warned the assembly that "the next would be an easy step to hereditary Monarchy."[6] Life tenure with the "princely status"[7] that would almost certainly have accompanied

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1 M., June 5; Farrand, I, p. 119.
2 M., June 7; Farrand, I, p. 152.
3 M., June 1; Farrand, I, pp. 64-65.
4 M., July 20; Farrand, II, p. 67.
5 M., July 17; Farrand, II, p. 35.
6 Ibid.
7 Krauel in the "Am. Hist. Rev.," Oct., 1911, p. 50.

it, may be safely termed a monarchical tendency, and thus the support of such a feature by prominent delegates is full of suggestions to a student of the period.

CHAPTER V

Hamilton's Plan; Its Purpose and Supporters.

"A gentleman from New York thinks a limited monarchy the best government," said Sherman,[1] referring to Alexander Hamilton. The evidence seems to show, however, that the plan which this gentleman actually proposed to the Convention[2] was meant to be a careful combination of the best features of monarchy and democracy on a republican basis. Great as was his admiration for the British monarchy,[3] Hamilton did not wish to transfer it, entire, to American soil, since he believed that "what may be good at Philadelphia, may be bad at Paris, and ridiculous at Petersburgh."[4] His real desire, it may be contended, was to combine the separation of powers and the stability of the British form with the representative feature of a republic and a popular participation consistent with democracy, and thus to meet the peculiar needs of America. The resulting form in operation would probably have been a sort of elective monarchy or stadtholdership.

If, as Burgess states, "a democratic state may, without violence to its own principle, construct for itself a government in which the executive power will hold by hereditary right,"[5] it would not be impossible to combine Hamilton's proposed executive

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1 Y., June 28; Farrand, I, p. 457.

2 For Hamilton's Plan see Farrand, I, pp. 282 ff.; Hamilton's "Works," II, pp. 395, 409.

3 M., June 18; Ibid., p. 288.

4 Letter to Lafayette, Jan. 6, 1799; Hamilton's "Works," VI, p. 388.

5 Burgess, "Political Science," II, p. 308.

with the safeguards of democracy. Hamilton himself said that "an executive is less dangerous to the liberties of the people when in office during life, than for seven years."[1] He believed one branch of the government could be especially devoted to the representation of the "poorer orders of citizens."[2] His own plan, accordingly, provided for an assembly elected by the people, "on a broad foundation."[3] He did not propose, however, that the only check on the democratic assembly was to be in a democratic senate and a democratic chief magistrate.[4] Thus he proposed that "one body of the legislature be constituted during good behavior or life and that the Executive have a similar tenure.[5] "Real liberty," he said, "is neither found in despotism or the extremes of democracy, but in moderate governments."[6] He accordingly combined with a democratic assembly features of government respectively republican and monarchical.

While the vast extent of the country "almost led him to despair" of the establishment of a republican government, he "was sensible.....that it would be unwise to propose one of any other form."[7] The essential of a republic which he had in mind was the

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1 Y., June 18; Farrand,I, p. 300.
2 M., June 26; Ibid., p. 424.
3 M., Sept. 8; Farrand,II, pp. 553-554.
4 M., June 18; Farrand,I, p. 300.
5 Ibid.
6 Y., June 26; Farrand,I, p. 432.
7 M., June 18; Farrand,I, p. 288.

representative feature, according to which office holders are drawn from the people, are elected by the people, and act according to the will of the people. In supporting the Constitution in "The Federalist" Hamilton points out that the imperfections of republics have been lessened by certain modern "discoveries" such as "the institution of courts composed of judges holding their offices during good behavior."[1] It may be fairly suggested that, had he dared, he would have still further diminished these "imperfections" by measures which savoured still more strongly of monarchy.

And finally, Hamilton said, "Those who mean to form a solid republican government, ought to proceed to the confines of another government,"[2] namely, monarchy. He would "go to the full length of republican principles"[3] in order to approach as near as possible to "the excellency of the British executive - He is placed above temptation - He can have no distinct interests from the public welfare. Nothing short of such an executive can be efficient. The weak side of a republican government is the danger of foreign influence. This is unavoidable, unless it is so constructed as to bring forward its first characters in its support."[4] In accordance with these convictions Hamilton proposed an executive, subject to impeachment, elected by a double set of electors, to hold office

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1 "The Federalist," pp. 48-49. Compare Dickinson's statement; M., June 2; Farrand,I, p. 87.

2 Y., June 26; Farrand,I, p. 432.

3 Y., June 18; Farrand,I, p. 300.

4 Ibid., pp. 299-300.

during good behavior, to have an absolute veto, and to appoint the governors of the states - who, in turn, should have an absolute veto over the State legislatures,[1] This, quite correctly, savoured of "elective monarchy" to many, and "elective monarchy" to these men meant the worst[2] and most dangerous[3] type of monarchy. Hamilton doubtless felt that the concrete examples such as Poland and Holland, which the delegates had in mind, did not fairly demonstrate the possibilities of the form of government.[4]

Culbertson, in his "Essay on Hamilton," emphasizes the point that Hamilton's controlling ideal was nationalism, the belief "that deeper than man's selfish interest, deeper even than his loyalty to his class, is his loyalty to his nation.....which leads individuals and classes.....by wise statesmanship, to cooperate within the nation in order to make their group powerful against other groups.[5] Might not this ideal have stirred Hamilton to propose not only earnestly, but hopefully, a plan which, by its strong centralization of power, and its stable executive, seemed to hold greater possibilities than did others, for developing a strong and independent nation?[6]

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1 M., June 18; Farrand, I, pp. 292-293.

2 Charles Pinckney; M., June 1; Farrand, I, p. 65.

3 Mason; M., June 4; Farrand, I, p. 101.

4 M., June 18; Farrand, I, pp. 290-291.

5 Culbertson, "Alexander Hamilton," p. 8.

6 An important reason why Hamilton believed a more democratic plan inadequate is found in his experiences in the ill paid Revolutionary Army and in the Congress of the Confederation. (See Lodge, "Alexander Hamilton," pp. 42-43).

That Hamilton considered his plan seriously, and not as a mere balance to the New Jersey plan,[1] is shown by the following considerations. First, although "no man's ideas were more remote from the plan than his own were known to be," he loyally supported the Constitution for what "chance of good" there was in it,[2] and yet he never ceased to feel that something stronger was necessary.[3] His development of the doctrine of "implied powers" bears testimony to the truth of this contention.[4]

Again, Hamilton believed that there was reason to hope for popular support for his plan. On June 18th he said, "I confess that this plan [is] very remote from the idea of the people. Perhaps the New Jersey plan is nearest their expectation. But the people are gradually ripening in their opinions of government- they begin to be tired of an excess of democracy."[5]

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1 See Lodge, "Alexander Hamilton," pp. 62-63, for the contrary view.

2 M., Sept. 17; Farrand, II, pp. 645-646.

3 Hamilton's part in "The Federalist," and his tireless efforts for ratification in New York should be remembered in this connection. Lodge suggests that the acceptance of Burr's challenge was due to Hamilton's desire to avoid a taint of cowardice which would disqualify him as leader of a party against the anarchy he believed inevitable under the Constitution. (Lodge, "Alexander Hamilton," pp. 270-271.)

4 See Culbertson, "Alexander Hamilton," p. 57.

5 Y., June 18; Farrand, I, p. 301.

In June Hamilton believed that "a great progress" had "been already made" and was "still going on in the public mind." This led him to believe that in time the people would be "unshackled from their prejudices," and "be ready to go as far at least"as he proposed.[1] A fortnight later, in his passage through the Jerseys, he believed he saw evidence that an "astonishing revolution for the better" had already taken place in the minds of the people, and that they had came to desire "something not very remote from that which they had lately quitted." He writes, "These appearances, though they will not warrant a conclusion that the people are yet ripe for such a plan as I advocate, yet serve to prove that there is no reason to despair of their adopting one equally energetic, if the Convention should think proper to propose it.[2]

One reason for Hamilton's hope of support within the Convention[3] is expressed in the following words, in Madison's record of Hamilton's speech on June 18th. "He hoped Gentlemen of different opinions would hear with him.....and.....recollect the change of opinion on this subject which had taken place and was

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1 M., June 18; Farrand,I, p. 296.

2 Letter to Washington, July 3, 1787; Hamilton's"Works." (ed. by J. C. Hamilton), I, pp. 435-436. See also his correspondence with Wadsworth and Humphreys; "Works", I, pp. 440-444. His "reasons of some moment " for seeking information on the elusive letter in question may well have concerned his desire to know the popular reaction to monarchical ideas.

3 For McHenry's assertion that Mercer made a list of about twenty names of those favoring a monarchy, see Farrand,II, pp, 191-192. Mercer later attempted to deny this, with no certain success. See Farrand,III, pp. 320-321.

still going on. It was once thought that the power of Congs [Congress] was amply sufficient to secure the end of their institution. The error was now seen by every one. .....This progress ..... led him to anticipate the time, when others as well as himself would join" in the assertion that the British Government was the only one in the world which united "public strength with individual security."[1]

It is obvious that Hamilton could not count on the support of all those who like himself, dreaded too much democracy, for many of them were States-rights men and thus opposed to his nationalistic ideas.[2] There were others, however, who were willing to support important features of his plan. Men like Read, Dickinson, Gorham, Wilson, King, and Washington may have been deterred from full sympathy with Hamilton's plan by the one fear of risking "what was then deemed the last chance for a respectable union, on a scheme which would be hopeless of acceptance."[3]

Read, of Delaware, although from a small state, favored a strong national government,[4] appointment of the Senate by the chief Executive,[5] the appointment of the treasurer by the Executive,[6]

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1 Farrand,I, p. 288.
2 Lodge, "Alexander Hamilton," p. 62.
3 Ibid.
4 Farrand,I, pp. 136, 202, 463.
5 Ibid., p. 151.
6 Farrand,II, p. 314.

an absolute negative for the Executive,[1] and a good behavior tenure for the Senate.[2] His delegation voted for a good behavior tenure for the Executive.[3]

From Pierce's description of Read it is obvious that he could not have made much impression on the Convention. "His powers of Oratory are fatiguing .....to the last degree;- his voice is feeble, and his articulation so bad that few can have patience to attend to him."[4]

As Beard says, "John Dickinson....frankly joined that minority which was outspoken in its belief in a monarchy-an action that comported with his refusal to sign the Declaration of Independence and his reluctance to embark upon the stormy sea of Revolution."[5] On June 2nd he remarked, "that a firm Executive could only exist in a limited Monarchy ..... A limited Monarchy he considered as one of the best Governments in the world. ..... It was certain that equal blessings had never yet been derived from any of the republican form." But a limited monarchy was out of the question, because of "the spirit of the times" and the "state of our affairs" and because it was impossible to create "by a stroke of the pen" a House of Nobles, which he considered essential to

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1 Farrand,II, p. 200.
2 Farrand,I, pp. 409-421.
3 July 17; Farrand,II, p. 36.
4 Farrand,III, p. 93.
5 Beard "Economic Interpretation of the Constitution " p. 194.

this form of government. He therefore looked to remedying the republican form in such a way as to make it more perfect than it had proved in the republics of the ancient world.[1] He doubtless voted for a good behavior tenure for the Executive as a means to this end.[2]

Gorham's attitude to monarchy at the time of the Convention is especially interesting in view of his supposed connection with the Henry of Prussia affair.[3] His only reference to monarchy reported in the Records was made in supporting the proposed guarantee by the United States of a republican constitution to each State. It would be strange that "the Genl. Govt. should be restrained from interposing" to subdue any rebellion that might take place in a State, for, "At this rate an enterprising citizen might erect the standard of Monarchy in a particular State, might gather together partizans from all quarters, might extend his views from State to State, and threaten to establish a tyranny over the whole."[4] His manner of speaking would indicate that he considered an attempt at monarchy as not impossible.

The fact that Gorham did not oppose the exclusion of foreigners from becoming eligible for the position of chief magis-

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1 M; Farrand,I, pp. 86-87.

2 M; Farrand,II, p. 36.

3 See above, Chap. II.

4 M., July 18; Farrand,II, p. 48.

trate[1] shows that Gorham had given up the Prussian scheme, if, indeed, he had ever entertained it. Very likely he believed that the Convention opened the way to a more moderate and therefore more generally acceptable solution of the problem which so concerned him.

"Mr. Gouverner Morris was as little a friend to monarchy as any gentleman. He concurred .....that the way to keep out monarchical Govt. was to establish such a Repub. Govt. as would make

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[1] It was decided in Convention that "no person except a natural born Citizen, or a Citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President. (J., Sept. 4; Farrand,II, p. 494.) John Jay, in a letter to Washington, (Farrand,III, p. 61) apparently had small grounds for his fear that the Convention might not provide "a strong check to the admission of Foreigners into the administration of the national government," for though there was much diversity of opinion on the subject, no one proposed admitting foreigners to full political privileges without a long "apprenticeship," and the eligibility of even a naturalized foreigner to the position of President was apparently considered too impossible to require discussion. The following references in Farrand bear upon the attitude of members of the Convention to foreigners.

Bedford; I, pp. 501, 531.

Butler; II,p.269.

Franklin; II, p. 236.

Gerry; I, p. 532; II, pp. 268, 285.

Hamilton; I, pp. 466, 473; II, p. 268.

Madison; II, pp. 235-236; 268-269.

Mason; II, p. 271.

Morris; I, p. 530; II, pp. 237, 238, 243, 270.

Wilson; II, pp. 237, 269.

the people happy and prevent a desire of change."[1] "Fickle and inconstant,"[2] it is difficult to discover what means he really considered best to attain this end. On July 6th he said, "We should either take the British Constitution altogether or make one for ourselves."[3] On July 7th "he was ready to join in devising such an amendment ----as [would] be most likely to secure .....liberty & happiness."[4] On July 17th he seconded McClurg's motion for a good behavior tenure, expressed "great pleasure" at hearing "so valuable an ingredient," and was even "indifferent how the Executive should be chosen, provided, he held his place by this tenure."[5] This was when the appointment of the Executive was to be by the Legislature. Two days later he was advocating election by the people and a <u>two year</u> term.[6] In Morris' defense it should be said that the good behavior tenure had in the meantime been voted down,[7] and, moreover, that Morris believed a two year term would in fact be indefinitely extended so long as the magistrate "should behave himself well."[8]

Earlier in the Convention, July 2nd, <u>Morris</u> had approved

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1 M., July 17th; Farrand,II, pp. 35-36. Perhaps in regard to monarchy as well as aristocracy, Morris prided himself on opposing "the thing, not the name." (See Farrand,II, p. 202.)

2 Pierce's "Character Sketches;" Farrand,III, p. 92.

3 M., Farrand,I, p. 545.

4 Ibid., p. 553.

5 M., July 17; Farrand,II, p. 33.

6 M., July 19; Farrand,II, p. 54. The direct cause of this stand was the desire to avoid impeachments. The question of impeachments in this connection deserves further study.

7 M., July 17; Farrand,II, p. 36.

8 M., July 19; Farrand,II, p. 54.

a life tenure for the Senate and an appointment of senators by the executive.[1] Moreover, on July 5th he expressed the hope that while they could not annihilate they might perhaps "take out the teeth of the serpents,"[2] i.e., "State attachments," the baneful agents of decentralization. On the whole, it would seem that Hamilton, though unable to predict Morris' stand, might have hoped for his support.[3]

King[4] was one of the three delegates who, on June 4th, voted for a complete negative for the Executive.[5] On June 1st he upheld a seven year term[6] and later, July 19th, when this term was negatived, he expressed anxiety lest too short a duration be adopted.[7] On July 20th he is reported as saying that the Executive "ought not to be impeachable unless he hold his office during good behavior, a tenure which would be most agreeable to him; provided an independent and effectual forum be devised"[8] for impeachment. On the other hand, his suggestion on July 24th, that the Executive term be twenty

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1 M., Farrand I, pp. 512-513. He believed that a stable Senate was needed to check the "precipitancy, changeability, and excess" of democracy. (Y., July 2nd; Farrand, I, p. 517.

2 M., Farrand, I, p. 530.

3 On his return from the Convention, Morris spoke unreservedly of implied powers as the means of making the Constitution successful in operation. Shea, "Life of Hamilton," p. VII.

4 See Chapter II for King's part in the Henry of Prussia affair.

5 K., June 4; Farrand, I, p. 108.

6 K; Farrand, I, p. 72.

7 M; Farrand, II, p. 59.

8 M; Ibid., p. 67.

years, since "This is the medium life of princes," is noted by Madison as "possibly.....meant as a caricature" of the immediately preceding motions for terms of eleven and fifteen years.[1]

One thing is sure, Hamilton felt that King understood his point of view for during his absence from the Convention in the latter part of August, it was King whom he asked to keep him informed of any new developments which might arise.[2]

The "complete negative" proposition, seconded by Hamilton and supported by King, had been moved by Wilson.[3] In other respects he is rather a supporter of the general principle of centralized government than of Hamilton's particular form of it. Although he was "for raising the federal pyramid to a considerable altitude,"[4] he favored a short executive term and reëligibility.[5]

The proposal for a good behavior term for the Executive was made on July 17th, by James McClurg of Virginia.[6] "It was an essential object with him to make the Executive independent of the Legislature, and the only mode left for effecting it, after the vote destroying his ineligibility a second time, was to appoint him dur-

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1 M; Farrand,II, p. 102.

2 Hamilton to King, Aug. 20th, 1787; Farrand,III, p. 70. Note that King was later a leader of the Nationalistic party. New Int. Enc., XIII, p. 241.

3 K., June 4th; Farrand,I, p. 107.

4 M., May 31st; Farrand,I, p. 49.

5 M; Farrand,I, p. 68. There seems no indication, as with Morris, that Wilson may have thought a short tenure with reëligibility equivalent to tenure during good behavior.

6 M; Farrand,II, p. 33.

ing good behavior."[1] It is improbable that McClurg's support of this part of Hamilton's plan could have counted for much as he was not an effective speaker.[2] A similar case was that of Mr. Broom,"a plain good man, with .....nothing to render him conspicuous,"[3] who "highly approved" of the good behavior motion.[4]

In view of Hamilton's well founded claim that "The Father of the Constitution" voted for the "highest toned" feature he had proposed,[5] Madison's position is important. In addition to voting for a good behavior tenure for the executive,[6] Madison supported it, though with considerable caution, in the course of the debates. Thus on July 17th, Madison said that the propriety of McClurg's motion depended on the "practicability of instituting a tribunal for impeachments."[7] He was careful to insist, both in his speech and in his notes for the day,that his support of the motion was due to his "particular regard" for the mover.[8] Furthermore, in his footnote on the vote on the question he says, "This vote is not to be considered as any certain index of opinion, as a number in the affirmative probably had it chiefly in view to alarm those attached

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1 M; Farrand,II, p. 36.

2 Pierce's "Character Sketches;" Farrand,III, p. 95.

3 Ibid. p. 93.

4 M; Farrand,II, p. 33.

5 Statements of Hamilton, 1793; Farrand,III, pp. 368-369; and 1803; Ibid., p. 398.

6 M; Farrand,II, p. 35.

7 Ibid., pp. 34,35.

8 Ibid., pp. 34,35.

to a dependence of the Executive on the Legislature, & thereby facilitate some final arrangement of a contrary tendency."[1]

Madison's caution[2] is explained best by his own words in "The Federalist;" "It is evident that no other form than a Republic would be reconcilable with the genius of .... America; with the fundamental principles of the Revolution; or with that honorable determination which animates every votary of freedom to rest all our political experiments on the capacity of mankind for self-government. If the plan of the Convention, therefore, be found to depart from the republican character, its advocates must abandon it as no longer defensible."[3]

Madison did not consider the Constitution as agreed upon ideal. In October of the year following the Convention he explained

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1 M; Farrand, II, p. 36. The vote was 6 states to 4 in the negative.

2 Note that a short while before the Convention Madison had "scarcely ventured .... to form his own opinion, either of the manner in which it ought to be constituted, or of the authorities with which it ought to be clothed." (North American Review, Oct. 1827, p. 265). On June 1st he said that if the powers of the executive should be large they would "have the Evils of elective Monarchies" snd that probably the best plan was "a single Executive of long duration with a Council, with liberty to depart from their Opinion at his peril." (K; Farrand I, p. 70). On July 17th he "was not apprehensive of being thought to favor any step towards monarchy. The real object with him was to prevent its introduction .....The preservation of Republican Govt. .....required some expedient" for restraining the instability & encroachments" of the legislature, and "in devising it, the genuine principles of that form should be kept in view." Farrand II, p. 35.

3 "The Federalist," No. 39 38 p. 245.

that he had signed the Constitution because he "thought it .....the best that could be obtained from the jarring interests of States, and the miscellaneous opinions of Politicians."[1]

Finally, the question may arise as to whether Hamilton expected support from Washington. The two had been in correspondence ever since the close of the War, on the need of a strong central government.[2] Although Hamilton probably knew of the outcome of the Nicola affair, he may have had reason to believe that Washington had been gradually tending to stronger measures.[3] At any rate, his expectation that, although he had not compared his ideas with Washington, the latter would receive them with courteous consideration, was not disappointed.[4] The answer to Hamilton's letter of July 3rd, reveals sympathy and understanding on the part of Washington, who thanked the former for his letter, and wished that he were back in the convention, since the situation was "important and alarming." He almost despaired "of seeing a favorable issue to the proceedings of the convention," felt contempt for "narrow-minded" men who opposed a "strong and energetic government," and believed that their contention that the people would not accede to the form proposed was only an excuse for their opposition.

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[1] Madison to Philip Mazzei, Oct. 8, 1788; Farrand,III, p. 353.

[2] See Washington's "Writings," X-XI.

[3] See above, Chap. I, p. 14, on Washington's change of attitude from August 1786 to March 1787.

[4] Hamilton to Washington, July 3, 1787; "Works", I, p. 436.

Most important of all is his statement that "admitting that the present sentiment is as they prognosticate, the question ought nevertheless to be, Is it or is it not the best form that such a country as this can adopt?"[1]

It is certain that with Washington's aristocratic instincts, and with his adherence to formalities, as evidenced in his administration as president, Washington could have played to perfection the rôle of elective monarch, had his theoretical scruples been overcome, and the opportunity been presented.[5]

The evidence goes to show that although the Convention did not consider inviting an English prince to become king, monarchical ideas were actually entertained, in varying degrees, by several delegates and most especially by Hamilton.

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[1] Washington to Hamilton, July 10, 1787; Hamilton's "Works", I, p. 437.

[2] It is said that the title Washington preferred as president was "His High Mightiness, the President of the United States and Protector of Their Liberties." Farrand, "Framing of the Constitution," p. 163.

CHAPTER VI

The Influence of Foreign Examples; Poland, Holland, Great Britain.

The classicists in the Convention "pointed out all the beauties and defects of ancient Republics" and "compared their situation with ours wherever it appeared to bear any anology [analogy]."[1] These men, as well as others, were not blind to the importance of more modern constitutions as guides in their work. Poland, Holland, and Great Britain were discussed at considerable length, but chiefly as horrible examples, save in the case of Great Britain. The general principle was asserted that the people of this country were "very different from the inhabitants of any state" they were "acquainted with in the modern world."[2] "Our true situation," said Charles Pinckney, "appears to me to be this,— a new extensive Country containing within itself the materials for forming a Government capable of extending to its citizens all the blessings of civil & religious liberty ... I believe this ob-[3]

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[1] See for example Madison's statements on June 4th, P; Farrand, I, p. 110, and Hamilton's words on June 18th, Y; Ibid., p. 296.

[2] C. Pinckney, M., June 25; Farrand, I, p. 401.

[3] Hamilton, with his idea that the form of government is like a coat which should be fitted to the individual might have continued that to use one's material to best advantage one might need to copy the cut of other coats. (See above, p.51, note 1).

servation will be found generally true: that no two people are so exactly alike in their situation ... as to admit the exercise of the same Goverment with equal benefit."[1]

The First Partition of Poland (1772) had "left a body politic that still contained the elements essential to continued national life; in some respects it was even a salutary operation."[2] While retaining certain distinctive features, such as the "liberum veto" and the elective monarchy, the partitioning powers, (Russia, Prussia, and Austria), "presented the Poles with a constitution superior to anything they had ever been able to devise for themselves."[3] The aim of the three powers, and especially of Russia, was to make Poland a serviceable dependent.[4] Religious intolerance, class distinctions, and serfdom persisted, and the Polish constitution was still somewhat anarchical,[5] but sufficient stability, order, and economy were introduced to permit some progress to be made in financial, educational, and military reform.[6]

The new constitution introduced a "Permanent Council" thirty-six members, elected by the Diet every second year. This Council was a supreme administrative board, and though unpopular as a Russian invention, it "gave Poland an executive that could

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1 C. Pinckney, M., June 25; Farrand, I, p. 402.
2 Lord, "Second Partition of Poland," p. 484.
3 Enc. Brit., XXI, p. 919. (See 2nd col.).
4 Lord, "Second Partition," pp. 57-58.
5 Enc. Brit., XXI, p. 919.
6 Lord, "Second Partition," pp. 58-59.

dominate the hitherto independent and lawless great officers of the Crown" and "gave the administration for the first time something of unity and vigor."[1] But the "szlachta, the military landowning class," continued to dominate the government without sufficient organization among themselves to make the government effective.[2]

The interest of the Federal Convention in Poland centred in the elective monarchy. This peculiar arrangement had been introduced into Poland at the beginning of the period of Polish history extending from 1572 to 1795.[3] From 1572-73 onward, "it was understood that the 'szlachta' was quite free to choose whom they would, and that the prince whom they chose was only their delegate, entrusted by them with a rigidily limited portion of authority, which might be revoked in case he overstepped his mandate. The 'szlachta' had thus anointed themselves with the majesty that had once pertained to the Crown, and henceforth it became their chief concern to see that the sovereignty did not slip away from them."[4]

The constitution given Poland after the first partition still further limited the royal prerogatives. The king was president of the permanent council, but could not summon the diet except with its consent, and in appointments was limited to choosing

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[1] Lord, Op. Cit., p. 58. The Council was also to advise the King on all important matters.

[2] Ibid., p. 8.

[3] Francis, "The Grand Duchy of Warsaw," pp. 2, 3.

[4] Lord, Op. Cit., p. 10.

from the council's nominees. It is significant that the Polish constitution, even as reformed, was still so anarchical that it prevented Poland from taking proper advantage of the derangement of the balance of power in Europe due to the death of Frederick the Great in August, 1786. A later bit of evidence that the elective feature of the monarchy was generally considered the chief source of weakness in the Polish constitution is the fact that when the Empress of Russia heard of the establishment of the short-lived hereditary monarchy of 1791, she was "full of consternation at the idea that Poland under an hereditary dynasty might once more become a considerable power."[1, 2]

Hamilton practically admitted that his plan involved an elective monarch, when he suggested that the evils of elective monarchies "had been taken rather from particular cases [as Poland and the German Empire] than from general principles," and asked, "might [not] such a mode of election be devised among ourselves as will defend the community agst. these effects in any dangerous degree?"[3] Wilson and Morris both denied that the tumults and intrigues of Polish elections could ever be duplicated in the United States, since they depended upon the fact that election in Poland was in the hands of the nobles who could back their conflicting

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[1] Enc. Brit., XXI, p. 919.

[2] Madison remarked in Convention that the "elective Magistrate" of Poland had "very little real power." M., July 25; Farrand, II, p. 110.

[3] M., June 18; Farrand, I, pp. 290-291.

ambitions with their resources and dependents.[1] However, Hamilton's argument that the principle of the elective monarchy of such a country as Poland might be embodied in our constitution, without the evil features of intrigue and disorder, was not developed by delegates who were more or less familiar with the history of that unhappy country.[2]

Krauel has said that Hamilton's proposal to make the first officer of the republic hold his position for life would have made the presidency "except for the exclusion of the hereditary principle, approximate to the office of stadtholder as maintained in the Republic of the United Netherlands."[3] There were, indeed, sufficient points of likeness in the situations of the United Provinces and the United States to suggest that the constitution of the former might have been of service as an example to the latter. Holland and her sister provinces had been confronted

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[1] July 17; Farrand, II, pp. 30 and 31 respectively. See Lord, "Second Partition of Poland," p. 29, for a description of the "clients" in Poland.

[2] Madison, for instance, in a speech of July 25th, referred to the fact that the election of the Polish king had "slid entirely into foreign hands." (M; Farrand, II, pp. 109-110). Every nobleman "however indigent or insignificant he might be, had the right to ... participate in the elections to the throne." (See Lord, Op. Cit., p. 23). This situation together with the jealousy among the nobles opened the way to foreign influence. Paterson, in his notes for June 28th, emphasizes the division of Poland as an example of oppression of small powers in Europe by the great. Farrand, I, p. 459.

[3] Krauel, "Prince Henry of Prussia;" Am. Hist. Rev., Oct. 1911, p. 50.

with our problem of forming a "Union of Sovereign States preserving their Civil Liberties and connected ... by such Tyes as to Preserve permanent & effective Governments."[1] The Provinces had been rescued from foreign oppression by a great and noble leader,[2] who, like Washington,[3] had been reluctant to accept supreme civil power in addition to his military command.[4]

The existence of the Dutch Republic may be said to date from the Union of Utrecht, in 1581. The final separation of the northern provinces from those of the south, which remained obedient to Spain, was the work of William the Silent.[5]

William had finally accepted the "entire authority as sovereign and chief of the land" only "as long as the war should continue" the addition of the time limitation being the only condition upon which he would accept "full power to command all forces by land and sea, to appoint all military officers, and to conduct all warlike operations, without the control ... of any person whatsoever." He was further authorized, "with consent of the states, to appoint all financial and judicial officers,;" he was

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[1] Expression used by the N. C. delegates in letter to Gov. Caswell, June 14, 1787; Farrand, III, p. 46.

[2] See Motley, "The Dutch Republic," III, pp. 367-518.

[3] William I has been called "the Washington of the sixteenth century." See Motley, Op. Cit., I, p. vi.

[4] Motley, Op. Cit., III, p. 507.

[5] Motley, Op. Cit., I, p. vi.

also "supreme executive chief, and fountain of justice and pardon."[1] These powers included none which he had not already exercised for five years as stadtholder for Philip of Spain. The difference lay in the fact that he was no longer a viceroy but a sovereign. Moreover, as the time limitation was removed without his knowledge, he was a sovereign for life.[2]

While William, according to the arrangement of March, 1581, was to rule as sovereign, it was "in conjunction with the council of Holland and under conditions of the maintenance of national and municipal privileges, while the Estates, composed of the representatives of the nobles and fourteen cities, were recognized in a mass of important points." The small cities, too, were to be convened in cases of contribution, peace, war, or change of government. In case of failure to agree in the last three matters "the decision rested with the sovereign and some members of his council or that of the province." The ruler was to be assisted by three colleges of deputed councillors "one for general government, one for finance, one for marine affairs."[3]

A very important part of the Dutch Constitution was the theory that "the origin of sovereignty was not vested in the

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[1] He accepted this offer of the "knights, nobles, and cities of Holland and Zealand" on July 5, 1581. (See Motley, "The Rise of the Dutch Republic", III, pp. 506-507).

[2] Ibid., p. 507.

[3] Blok, "Hist. of the People of the Netherlands", III, pp. 156-157.

lord of the land, but in the Estates as representing the subjects. They could bestow the 'high sovereignty' on whom they wished."[1] In 1631 the hereditary principle had been introduced by the action of the States in securing to Frederick Henry's infant son (later William II), the reversion of the offices of stadtholder, captain, and admiral-general.[2] This arrangement was carried out but when William II died, the office of stadtholder was suspended for twenty-one years, till William III finally proved more acceptable to the republic than was the grand pensionary, (first minister of the state), who had virtually become president in the interval.[3] William III was made hereditary stadtholder in five of the Provinces in 1672 but when he died, without a direct heir, the grand pensionary once more led the Estates in an assertion of independence of the stadtholdership.[4] Thus the theory that the sovereignty might be vested in the Estates themselves[5] was actually put into practice. The hereditary principle was once more introduced soon after William IV was proclaimed stadtholder, captain, and admiral-general in 1747,[6]

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1 Blok, "Hist. of the People of the Netherlands", III, p.159.

2 Blok, Op. Cit., IV, pp. 60-61, also pp. 20-21.

3 Blok, Op. Cit., IV, pp. 177-387, especially pp. 177, 347-348, 385-387. The period extends from 1651 to 1672.

4 Enc. Brit., XIII, pp. 602-603. William III died in 1702 and William IV was not made stadtholder till 1747.

5 Blok, Op. Cit., III, p. 159.

6 Enc. Brit., XIII, p. 603.

and William V, who was stadtholder in 1787, held by virtue of this hereditary right.

Although the stadtholder had considerable power, and "represented the dignity of the state,"[1] he was indeed an unusual ruler who could check the encroachments of the Estates and successfully combat particularism.[2] "The hydra-headed government of the States-General[3] had originated in encroachments upon the council.[4] The result was the "most unwieldy executive imaginable." "It was only the dominance of a single province--Holland--and the personality of one States' official, whether he were stadtholder of one or more provinces, as the prince of Orange had been, or whether his personal influence were powerful, like Oldenbarnevelt's, which could secure the necessary force to wield the central government."[5]

Blok characterizes the government in the northern provinces as "aristocratic tempered by the stadtholder's authority, allied to the municipal, territorial, and procincial privileges of ancient origin conferred by the overlords." Although these privi-

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1 Enc. Brit., 9th ed., XII, p. 80.

2 William I's authority had been sufficient to overshadow that of the States. He had been "governor in behalf of the States-General, ruward of Brabant, stadtholder of Utrecht, Friesland, and perhaps Flanders, sovereign chief of Holland and Zealand, and influential in Gelderland, Overyssel, and the Ommelands." (Blok, "Hist. of the People of the Netherlands", III, pp. 159-160).

3 Blok, Op. Cit., III, p. 238.

4 For council see above, p.

5 Blok, Op. Cit., III, p. 238.

leges secured some degree of freedom to the inhabitants, the city and country aristocracy, in whose hands the government rested, became more and more a closed caste.[1]

However much individuals in the Convention may have admired the theory of the Dutch stadtholdership, their enthusiasm must have been dampened by a knowledge of its later developments. Aside from the failure to exclude the hereditary feature, certain entangling foreign alliances,[2] and the increasing indifference of the Stadtholder to national interests,[3] could hardly recommend the office to American statesmen. The full extent of the failure of the stadtholdership, as a form of free government, may be realized from the fact that in 1813 the Dutch abandoned it forever, and sought refuge in a limited monarchy.[4]

The summary of Dutch history which Franklin presented to the Convention on June 4th[5] pictured forcefully, though a bit unfairly, the antagonism between the stadtholder and the States-General. His statements that the then stadtholder, (the weak and irresolute William V), had forfeited the confidence of the nation

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[1] Blok "Hist. of the People of the Netherlands", III, p. 390.

[2] For instance, the marriage alliance of William V with the piece of Frederick the Great. (See Hunt, "Political Hist. of Eng." X, p. 298).

[3] See Ibid., p. 298.

[4] Van Loon, "The Rise of the Dutch Kingdom," p. 245.

[5] See Farrand's footnote, Farrand, I, pp. 102-103, for Franklin's text this speech.

by his English sympathies, driven the States to seek French protection, and, against the nation, had made use of his family alliances with England and Prussia were all too true.[1] His prophecy that if the abilities of William V proved equal to his inclinations a "ruinous ... civil War would end in establishing an hereditary Monarchy in his Family" must have had weight with his hearers.

In view of the history of the Dutch stadtholdership that institution could hardly have been set up as a model to the Federal Convention. While there were a few fairly favorable references to the government of the United Provinces,[2] the majority of references were to its legislative usurpation,[3] executive perfidy,[4] difficulty of amendment,[5] oppression by foreign powers, evils of

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[1] See Hunt, Polit. Hist. of Eng., X, pp. 297-300.

[2] Mason, Ma., June 4; Farrand, I, p. 112; Martin, Y., June 28; Ibid., p. 454; Ellsworth; M., June 29; Ibid., p. 469; and Madison, Y., June 28; Ibid., pp. 456-457. Contrast, however, Madison, M., June 28; Ibid., p. 449, and M., July 14; Farrand, II, p. 9.

[3] Morris, M., July 17; Farrand, II, p. 31; Butler, M., Aug. 7; Ibid., p. 202. [Note that Butler had recently visited Holland, P., June 2; Farrand, I, p. 92].

[4] Franklin, M., July 20; Farrand, II, pp. 67-68; Butler, M., Sept. 7; Ibid., p. 541.

[5] Madison, Y., June 29; Farrand, I, p. 476.

[6] Madison, Y., June 19; Ibid., p. 327.

over-emphasis on States-rights,[1] and the generally wretched condition of affairs.[2]

Mr. Butler, writing to an Englishman in May, 1788, said, "We had before us all the Ancient and modern Constitutions on record, and none of them was more influential on Our Judgements than the British in Its Original purity."[3] The British constitution could not, in fact, have failed to influence the Convention. It was but natural that English-speaking men, with little faith in "a priori" constitutions, should make use of the system of free government under which they themselves had lived.[4]

Constitutional history had been in the making since Pitt had become prime minister in 1783. He had reduced the King's friends to submission, restored the cabinet as a council of the Crown, and revived ministerial responsibility. On the other hand, although Pitt was "a true Prime Minister ... the mainspring of governmental action,"[5] the king's personal influence over the

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1 Madison; Ibid., Morris, M., July 7; Farrand,II, p.553.

2 Morris; Ibid., Madison, Y., June 18; Farrand,I, pp. 326-327; Butler, Y., June 2; Ibid., p. 90.

3 Pierce Butler to Weedon Butler, May 5, 1788; Farrand, III, p. 301. The expression "Its Original Purity" contains a thrust at the corruption in the British government. (See "Great Britain, corruption in," in General Index; Farrand,III, p. 661).

4 Lodge, "Alexander Hamilton," pp. 60-61; Shea, "Alexander Hamilton," p. 12; Cobbett, "Political Works" I, pp. 25, 57.

5 Robertson, "England Under the Hanoverians," pp. 310-311.

deliberations of Parliament was acknowledged, and the influence of the Crown was still the preponderating element in the English constitution."[1]

Fiske has said that the framers of the Constitution "were trying to copy the British Constitution, modifying it to suit their republican ideas: but curiously enough, what they copied in creating the office of president was not the real English executive or prime minister, but the fictitious ... executive, the sovereign."[2] Although some members, like Morris, may have realized that the Prime Minister was the real king,[3] the general idea, according to another eminent authority, was to make the President "a reformed and standardized king, after the Whig model," and Congress "a reformed and properly regulated parliament," the difficulty of which lay in the fact that the type of king and parliament which the delegates had in mind did not in fact exist.[4] It is no

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1 May, "Constitutional History of England", I, pp. 62-63. Robertson, Op. Cit., p. 304, says that England was "still a long way from the Victorian Cabinet system, and the Victorian conventions and customs with regard to the place and functions of a constitutional Crown," and that "Pitt's Parliamentary duel and the general election, when compared with the action of William IV and Peel in 1834, illustrate not merely the astonishing power of the Crown in 1784, but the strong if vague desire of the nation that the Sovereign should not be relegated to the position of the Peishwa."

2 Fiske, "Critical Period," p. 289.

3 M., July 24; Farrand, II, p. 104. Contrast Madison, M., June 4; Farrand, I, p. 99.

4 Woodrow Wilson, "Constitutional Government in the United States," p. 82.

discredit to the discernment of the members of the Federal Convention that they minunderstood the British constitution. It was by no means certain, at that time, that a real cabinet system would be continued after Pitt was out of the government.

A few of the delegates, it would seem, felt only contempt for the British constitution.[1] Hamilton went to the opposite extreme and declared that "In his private opinion the British Govt. was the best in the world; and .... he doubted much whether anything short of it would do in America."[2] Others, while admiring its theoretical excellence, deprecated a slavish adherence to the British form, contending that conditions in America were so unlike those in England as to offer no reason for the introduction of British principles.[3]

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[1] For examples, see Mason, M., June 4; Farrand, I, p. 101, and Butler, M., June 22; Ibid., p. 376.

[2] M., June 18; Farrand, I, p. 288.

[3] For example, Gerry, M., May 31; Farrand, I, p. 50. It should be noted, however, that Gerry also expressed the hope that the delegates would not be so prejudiced against the British constitution as to adopt opposite measures "in everything." Y; June 13; Y; Farrand, I, p. 238.

Randolph did not regard the British Government a proper prorotype for America, since "the fixt genius of the people" was against it. (M., June 1; Farrand, I, p. 66).

Wilson revered the theory of the British Government, but felt the absence of rank, et cetera, precluded the possibility of applying it in the United States. (K., June 7; Ibid., p. 159).

Butler exclaimed that they were "always following the British Constitution, when the reason of it did not apply." (M., June 13; Ibid., p. 233).

Lansing said that the existence of state governments in America made the British form inapplicable. (Y., June 20; Ibid., p. 345).

Charles Pinckney denied its applicability in the absence of three distinct orders of rank. (M., June 25; Ibid., pp. 398-403).

Rutledge asserted that the state constitutions, if remade, would not again err through blind adherence to the British model. (M., Aug. 13; Farrand, II, pp. 279-280).

It should be remembered that many of the English features of our government are derived not directly from Great Britain, but indirectly, through the colonial governments.[1] On the other hand, the majority of the delegates doubtless felt a more or less conscious desire to benefit from the "good example of the mother country."[2] How does it happen, then, that we are not living under a cabinet system like England's? The reason is simply this, that the framers of our constitution did not perceive the true outlines of the British structure.

Americans of the '80s derived their chief ideas of the British constitution from Blackstone,[3] Montesquieu,[4] Locke,[5] and John Adams.[6] No one of these men had depicted the British constitution as it had actually existed during the greater part of the 18th century.

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[1] Thus John Adams conceived the American colonial governments, "at least those of New England, ... to be 'miniatures' of the British." (Walsh, "Political Science of John Adams," p. 7).

[2] Numerous references were made to the constitution and government of Great Britain, and to certain special features, as the negative of the crown, the position of judges, the arrangement about money bills, and the treaty making power. (See "Great Britain" in General Index; Farrand, III, p. 661). These references are not always complimentary but do, in general, testify to a willingness to be guided by the "long experience" of Great Britain, as contrasted with the new republic's "short experience of years." See Dickinson, M., Aug. 13; Farrand, II, p. 278.

[3] Blackstone's "Commentaries on the Laws of England" was republished in Philadelphia. The Colonies are said to have absorbed 2500 copies before the Revolution. It at once became the favorite legal text-book in America and a handbook of the law for laymen. (Enc. Brit., Iv, p. 26; New Int. Enc., III, p. 363).

[4] See New Int. Enc., XVI, p. 198.

[5] See Ibid., XIV, p. 276.

[6] The first volume of Adams', "Defence of the Constitutions

(see next page)

Blackstone recognized that England was a constitutional monarchy, but he magnified the royal authority.[1] He "displays much ingenuity in giving a plausible form to common prejudices and fallacies; but it is by no means clear that he was not imposed upon himself."[2] However that may be, it is important, in view of his influence in America, that he failed to grasp the fact of the introduction of the cabinet system in the time of Walpole in the first half of the 18th century.

Montesquieu's interpretation of the British form of government had come to Americans not only directly, but also indirectly through the more widely circulated works of Blackstone and Adams. Montesquieu was repeatedly cited in the Convention as an authority on Government,[3] and his characterization of the British system as composed of three distinct and balanced departments, the legislative, executive, and judicial, was reflected in the debates.[4]

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of the United States" appeared in America on the eve of the Convention, and achieved a phenomenal success. (C. F. Adams, "Life and Works of John Adams", I, pp. 430-431). Rush went so far as to say that in this work Adams had done his country "more service than if he had obtained alliances ... with all the nations of Europe." (Letter to Richard Price; Farrand, III, p. 33).

1 Hunt, "Polit. Hist. of Eng.," X, p. 6.

2 Enc. Brit., IV, p. 26.

3 Wilson, K., June 1; Farrand, I, p. 71; Butler, Y., June 23; Ibid., p. 391; Madison, M., June 30; Ibid., p. 485, also M., July 11; Ibid., p. 580.

4 Dickinson, Y., June 7; Farrand, I, pp. 156-157; Madison, M., July 17; Farrand, II, p. 34, also M., July 21; Ibid., p. 77.

Locke's "Essay on Government" was well known to American statesmen of the revolutionary and early constitutional periods, and, like the other English writings it pictured the British constitution as characterized by separation of powers. Special emphasis was laid on the predominance of the legislature among the departments of government.[1]

This interpretation, however, may best be described through references to Adams' exposition. He succeeded, as Blackstone did not,[2] in grasping the spirit of Montesquieu. Unlike Montesquieu he enjoyed a tremendous, a phenomenal sale, and unlike Blackstone, the constitutional problem was his principal interest, and not incidental to a study of law. Adams' central idea, in the words of Francis Adams, is that "distribution of power in the three parts, executive, legislative, and judicial, with the introduction into the second of two opposing elements likely to reduce its otherwise dangerous preponderance over the others, seemed to promise security without the risk of feebleness."[3] That Adams believed the British Constitution to embody these principles shows how completely that constitution was misunderstood, and why the true constitution of Great Britain did not serve as a model to Americans.

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[1] See New Int. Enc., XIV, p. 276 and XVI, p. 198.

[2] See New Int. Enc., III, p. 363.

[3] C. F. Adams, "Life and Works of John Adams", I, p. 427.

CHAPTER VII

The Convention's Estimate of Popular Support.

According to members of the Convention[1] "the eyes of the United States" were turned on that assembly, "and their expectations raised to a very anxious degree."[2] "Our affairs are considered on all hands as at a most serious crisis. No hope is entertained from the existing confederacy," wrote Madison, June 6th.[3] And again, "The whole Community is big with expectation."[4] Randolph, ten days later, asserted that if the Convention did not succeed in its work, the people would yield to despair.[5] James Wilson, speaking on the same day, said, "The people expect relief from their present embarrassed situation, and look up for it to this National Convention."[6] Testimony of members of the Convention indicates that the people of the United States were looking hopefully and trustingly to the Convention. Though "very impatient for ye event," according to Madison, "there was no evidence of discontent at the secrecy of the sessions."[7]

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1 The writer has been unable to date to work with newspapers of the period, but the indications are that there is little of this material bearing directly upon the subject which is not contained in Farrand's "Records" or secondary works.

2 George Mason to George Mason, Jr., June 1, 1787; Farrand,III, p. 32.

3 Madison to William Short, June 6, 1787; Ibid., p. 37.

4 Madison to Jefferson, June 6, 1787; Ibid., p. 36.

5 M., June 16; Farrand,I, p. 256.

6 Y;. Ibid., p. 261.

7 Madison to Jefferson, July 18, 1787; Farrand,III, p. 60.

The delegates felt their responsibility to the people. King's statement that "the people having already parted with the necessary powers it was immaterial to them, by which[1] Government they [were] possessed, provided they [were] well employed,"[2] was not typical of the spirit of the Convention. The members were seeking to devise a form of government which would promise relief for the political ills, and be acceptable to the people. There were, of course, various gradations in this feeling. Paterson, contending for a plan of "practical virtue" rather than of mere theoretical excellence, held that this virtue lay in its immediate acceptability to the public.[3] Washington, on the other hand, actually said that the excellence of the form itself was of greater importance than the present opinion of the people, but he took this stand because he felt it was best for the people, and that it would ultimately win their approval.[4]

Who were "the people" that the delegates had in mind? The population of the United States was not racially homogeneous, even in 1787. The Jews are suggested as a factor in the situation

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[1] King was referring to the Articles of Confederation and the Virginia Plan.

[2] M., June 5; Farrand, I, p. 123.

[3] Y., June 16; Farrand, I, p. 258.

[4] Hamilton to Washington, July 10, 1787; Hamilton's "Works," I, p. 437.

by their plea to the Convention for religious freedom.[1] However, as their letter aroused little or no interest, they were quite obviously of no political importance at that time.

Only a few years later, in 1794, Dr. Priestly discussed the evils of hereditary monarchies with "the republican natives of Great Britain and Ireland resident at New York."[2] The "United Irishmen," however, were obviously of little political importance in 1787, since their presence was not mentioned by members of the Convention.

The Loyalists were a more interesting element in the population. Humphreys' letter of September 16th to Hamilton testifies that Loyalists were keenly interested in rumors of monarchical propositions. That such propositions were not considered absurd by all is proved by the following words of Sydney, written on September 14th to Lord Dorchester: "The report of an intention on the part of America to apply for a sovereign of the house of Hanover has been circulated.....and should an application of that nature be made, it will require a very nice consideration in what manner so important a subject should be treated." A fear which many loyal Englishmen may have felt is expressed in Sidney's warning: "[I]t will upon all accounts be advisable that any influence which your lordship may possess should be exerted to discourage the strengthening their alliance with the house of

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[1] Jonas Phillips to the Convention, Sept. 7, 1787; Farrand, III, pp. 78-79.

[2] Cobbett's "Political Works", I, p. 24.

Bourbon, which must ..... follow were a sovereign to be chosen from any branch of that family."[1]

The Loyalists' line of reasoning is suggested in Humphreys' letter. They could not conceive how the wretched conditions then extisting could be remedied except by a resort to monarchy. The Bishop of Osnaburgh, George III's second son, seemed an available candidate, and to some, at least, the Cincinnati appeared a dependable instrument for effecting such a change.[2]

It should be remembered that thousands[3] of the Loyalists, including, of course, the most ardent ones, had fled to England, or to Canada, the West Indies or other British possessions,[4] either during the war, or at its close. Those who had remained, or had returned with the end of the war, were treated with the greatest severity, despite the recommendation of Congress in accordance with the terms of the treaty. Confiscation and proscription con-

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1 Farrand,III, pp. 80-81.

2 Humphreys to Hamilton, Sept. 16, 1787; Hamiltons "Works," I, p. 443. For further light on the proposal concerning the British prince see extract from the New York "Daily Advertiser" of Aug. 18, 1787; Farrand,II, p. 333. For a Frenchman's view of the inefficacy of the Cincinnati in such a plan see Otto's letter to Montmorin, June 10, 1787; Farrand,III, pp. 43-44.

3 Some ten thousand Loyalists left the American Colonies. (Robertson, "England under the Hanoverians," p. 298).

4 Van Tyne, "Loyalists in the American Revolution," pp. 243, 298-299.

tinued. Most important in the present connection is the fact that they were disfranchised in nearly every state.[1] "Quondam Tories" were still suffering under certain disabilities,[2] and thus, however much they hoped for "a future union with Great Britain,"[3] their wishes were of little weight in 1787.

The classification which stood out in the Convention was twofold; the "sober part of the Continent," who were looking trustfully to the Convention for a remedy for existing political ills,[4] and the residue of the population, untutored and turbulent.[5] The distinction was not wholly one of property-holding versus non-property-holding, for Dickinson and others affirmed that the great mass of the people at that time were freeholders.[6]

Madison's assertion that it was impossible to know the public will on the object of the Convention[7] is supported by

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1 Van Tyne, "Loyalists in the American Revolution," p. 295.

2 "As late as 1801 Tories were disfranchised in Pennsylvania," according to Van Tyne, "Loyalists," p. 295.

3 Humphreys to Hamilton, Sept. 16, 1787; Hamilton's "Works", I, p. 443.

4 Phinias Bond to Lord Carmarthen, July 2, 1787; Farrand, III, p. 53. Madison described this class as the "most enlightened and respectable citizens." M., June 12; Farrand,I, p. 215.

5 Hamilton, Y., June 18; Farrand,I, p. 299. Gerry believed the good sense of the people would, in time, overcome their prejudices. (Y., June 12. Farrand,I, p. 221), and Franklin, on August 7th, praised their "virtue & public spirit."(M., Farrand,II, p. 204).

6 M., Aug. 7; Farrand,II, p. 202. Note also Hamilton's argument on the necessity of ever balancing the many (debtors) against the few (creditors) in order that neither oppress the other. M., June 18; Farrand,I, p. 288.

7 M., June 12; Farrand,I, p. 215.

similar statements by other members. Lansing, on June 20th, "admitted that there was no certain criterion of the public mind on the subject."[1] Wilson pointed out the danger that the sentiments of "the particular circle in which one moved," be "mistaken for the general voice."[2]

While professing that the people's opinions could not be known on particular points, Madison was convinced that "In general they believe there is something wrong in the present system that requires amendment," and that if the Convention's plan should fail to secure their happiness the people, in despair, would "incline to Monarchy."[3] Gerry, on the contrary, held that the mere savour of monarchy would alarm the people.[4]

Optimistic views were held by some persons, both without and within the Convention. Thus Edward Carrington, writing to Thomas Jefferson, believed that the support given to even the "shadows" under which the people were then living evinced a disposition on their part to be governed, and that if "a work of wisdom" was prepared for them they would "not reject it to commit themselves to the dubious issue of Anarchy."[5] In Hamilton's words,

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1 M; Farrand,I, p. 336.

2 M., June 16; Farrand,I, p. 253.

3 Y., June 12; Farrand,I, pp. 220-221.

4 Ibid., p. 220.

5 Carrington to Jefferson, June 9, 1787; Farrand,III, p. 38.

"Our people [were] disposed to have a good government, but this disposition [might] not always prevail."[1] At that time, however, he anticipated that "their good sense, and above all, the necessity of their affairs" would induce the people to adopt the proposals of the Convention.[2]

There were some who ventured to assert in whole or in part, what public opinion really was. One of these was Lansing, who, unlike his colleague, Hamilton, believed the "prevalent opinion of America" was "that granting additional powers to Congress would answer their views; and every power recommended for their approbation exceeding this idea" would be fruitless.[3] Colonel Mason, while admitting that "the mind of the people of America, as elsewhere, was unsettled as to some points" insisted that it was "settled as to others," namely, "attachment to Republican Government" and "to more than one branch in the legislature." The basis of his conclusion was that the state constitutions agreed "so generally in both these circumstances."[4] Mr. Gerry did not hesitate to announce that "there were not 1/1000 part of our fellow citizens who were not agst. every approach towards Monarchy."[5]

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1 Y., June 29; Farrand,I,pp. 473-474.

2 Ibid., p. 474.

3 Y., June 16; Farrand,I, p. 258.

4 M., June 20; Ibid., p. 339.

5 M., June 26; Farrand,I, p. 425.

Hamilton's notes for June 1st include a clear and interesting outline of Randolph's speech of that date. The part pertaining to public opinion is as follows:

"I Situation of this Country peculiar ---

II.-Taught the people an aversion to Monarchy

III All their Constitutions opposed to it ---

IV - Fixed character of the people offered to it ---

V - If proposed 'twill prevent a fair discussion of the plan."[1]

The situation, as it appeared to Madison, is summed up in his letter to Jefferson of September 6th, as follows:

"Nothing can exceed the universal anxiety for the event of the meeting here. Reports and conjectures abound concerning the nature of the plan which is to be proposed. The public however is certainly in the dark with regard to it.[2] The Convention is equally in the dark as to the reception wch. may be given to it on its publication. All the prepossessions are on the right side, but it may well be expected that certain characters will wage war against any reform whatever.[3] My own idea is that the public mind will now or in a very little time receive anything that promises

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1 H., June 1; Farrand,I, p. 72.

2 The lady who is reported by McHenry to have asked Franklin, "Well Doctor what have we got a republic or a monarchy?" was certainly "in the dark." Her question, however, betrays no special anxiety. Farrand,III, p. 85.

3 These were the men holding State offices under the Articles of Confederation. See Hamilton's letter to Washington, July 3, 1787; Hamilton's "Works," I, pp. 435-436.

stability to the public Councils & security to private rights, and that no regard ought to be had to local prejudices or temporary considerations."[1]

Farrand has suggested that if certain delegates were in favor of monarchy, they may have circulated hints of monarchical plans in order to "try out public opinion."[2] It is significant that one of the denials that the Convention was considering a king came from Luther Martin, a strong enemy to monarchical tendencies,[3] and that a Pennsylvania paper, probably at the request of officers of the Convention, published a similar denial.[4] On the other hand, Hamilton betrayed especial interest in the situation while apparently attempting no denials. On August 20th he wrote to Jeremiah Wadsworth, of Hartford, asking him to trace to its origin a letter circulated in Connecticut, a copy of which Hamilton had seen. He expressed himself at loss as to its object, and had "some suspicions" that it had been "fabricated to excite jealousy against the Convention." He explained that he had "different reasons of some moment" for setting on foot an inquiry as to the political connections of its author and "the complexion of the people most active" in circulating it.[5]

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1 Farrand,III, p. 77. Note that Nathan Dane, writing from the point of view of one outside the Convention who had heard of the Virginia plan, wrote, July 5, 1787, "Perhaps the public mind will be prepared in a few years to receive this new system." (Letter to King, July 5, 1787; Farrand,III, p. 55).

2 Farrand, "Framing of the Constitution," pp. 174-175.

3 Letter to Gov. Casewell, Aug. 20, 1787; Farrand,III, p.73.

4 "The Pa. Journal," Aug. 22, 1787; Farrand,III, p. 73-74.

5 Hamilton's "Works", I, p. 440.

Colonel Wadsworth's answer contained the information that the letter had been printed some time before in the New Haven papers, and that it appeared to have been written to prepare the Anti-federalists "to comply with the doings of the Convention lest worse befall them." He confessed that the close of the letter appeared "calculated for other purposes," and says he has asked his friend, Colonel Humphreys for further information. Wadsworth described Wetmore of Stratford, who had formerly had the letter in his possession, as "rather talented and enterprising, but fickle."[1]

Although unable to trace the letter to its source Colonel Humphreys discovered that it had been published in a Fairchild paper as early as the 25th of July.[2] Further, he had talked with Mr. Wetmore and learned that he had first seen it in the hands of Jared Mansfield. This man had "formerly been reputed a Loyalist" and, according to Colonel Humphreys, the letter itself seemed to have been "received and circulated with avidity by that class of people, whether it was fabricated by them or not." He felt little doubt but that the letter was "manufactured" in Connecticut. Mr. Wetmore, on being asked his opinion as to the objects of the writer of the letter had said that "he believed it might be written principally for the amusement of the author, and perhaps with some view to learn whether the people were not absolutely indifferent to all government and dead to all political sentiment."[3]

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1 Hamilton's "Works", I, pp. 440-441.

2 The writer has found no evidence that this letter is extant.

3 Col. Humphreys to Hamilton, New Haven, Sept. 16, 1787; Ibid., p. 442.

Colonel Humphreys further explained that before he had seen the letter in question, Mr. Meigs had published an account of it, "attempting to excite the apprehensions of the Anti-federalists" with the purpose described by Colonel Wadsworth. While some thought this the "real design of the fictitious performance," others "with more reason, thought it was intended to feel the public pulse and to discover whether the public mind would be startled with propositions of Royalty."[1]

The real hope of the "Monarchists" must have been that public opinion had been misread by advocates of non-monarchical forms, and that it was, moreover, steadily changing for the better. Hamilton, in July, was certain that such was the case. "I have conversed with men of information, not only of this city [New York] but from different parts of the State; and they agree that there has been an astonishing revolution for the better in the minds of the people." "The prevailing apprehension among thinking men is, that the Convention, from the fear of shocking the popular opinion, will not go far enough. They seem to be convinced, that a strong, well-mounted government will better suit the popular palate than one of a different complexion. Men in office are, indeed, taking all possible pains to give an unfavorable impression of the Convention; but the current seems to be moving strongly the other way. A plain, but sensible man, in a conversation I had with him yesterday, expressed himself nearly in this manner: The people begin to be convinced that 'their excellent form of government' ..... will not answer their purpose, and that they must substitute some-

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[1] Hamilton's "Works", I, pp. 442-443.

thing not very remote from that which they have lately quitted. These appearances, though they will not warrant a conclusion that the people are yet ripe for such a plan as I advocate, yet serve to prove that there is no reason to despair of their adopting one equally energetic."[1]

The idea discussed above, that the present need was to be met by a temporary expedient, since great changes could be effected only slowly,[2] differs only in degree from the hope which Hamilton, and perhaps some others, may have cherished.

A letter written by Ashbel Baldwin of Connecticut at the close of the Convention impresses one with the fact that public opinion was indeed the biggest problem which the delegates had to solve. "The New Constitution is out, the Egg-shell is broke- but 'tis impossible as yet to determine how it is relished.....I am alarmed at the consequence of its being either received or rejected, the majority will not be sufficiently large on either side for a subject of such vast consequence."[3]

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1 Hamilton to Washington, July 3, 1787; Hamilton's "Works", I, pp. 435-436.

2 Chap. III, p.24.

3 Beardsley, "Samuel Seabury," p. 317.

CONCLUSION.

Thomas Hart Benton recorded some words of Rufus King in the belief that they "ought to be remembered by future generations, to enable them to appreciate justly those founders of our government who were in favor of a stronger organization than was adopted." They are as follows: "You young men [Benton and his generation] who have been born since the Revolution look with horror upon the name of a King, and upon all propositions for a strong government. It was not so with us. We were born the subjects of a King, and were accustomed to subscribe ourselves 'His Majesty's most faithful subjects;' and we began the quarrel which ended in the Revolution, not against the King, but against his parliament."[1]

The question in the present work may be expressed once more, in a new form, as follows: Did Monarchical tendencies, such as might be expected in such an atmosphere as King described, actually exist? The answer is in the affirmative. We have seen that Washington had reason to recognize their existence, that a Prussian prince was probably invited to become king of America and that similar invitations to an English and to a French prince were contemplated by some. In foreign opinion, it would seem, monarchy was America's only alternative to anarchy. Most important, perhaps, we have found reason to believe that Hamilton's plan not only embodied certain monarchical principles, but was offered in

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[1] Benton, "Thirty Years' View", I, p. 58. The paragraph was written in connection with King's retirement from the public life in 1825.

the firm belief that they would find some degree of support both within and without the Convention, and that Hamilton's belief was doubtless justified.

A chain, it would seem, may sometimes be stronger than its weakest link. While no single circumstance in the five years studied proves that monarchical tendencies existed in the United States, to any significant extent, a more complete survey of the period proves that although they did not work out to their logical conclusion, such tendencies were actually a factor in the situation.

BIBLIOGRAPHY

I Source Material

John Adams, Works; edited by C. F. Adams. 9 vols. Boston, 1850-56. The Works form volumes II-X of C. F. Adams' Life and Works of John Adams.

Phineas Bond, Letters; (American Historical Association, Report, 1896, I, pp. 513-659). Washington, 1897.

Marquis de Bouillé, Souvenirs and Fragments. 3 vols. (Published by "La Société d'Histoire Contemporaine"). Paris, 1906-11. The author was a personal friend of Prince Henry of Prussia, and described him at some length.

William Cobbett, Political Works; edited by J. M. and J. P. Cobbett. 6 vols. London, preface dated 1835. Shows the reaction of an English monarchist to American conditions during the last of the 18th century. Cobbett was in the United States from 1792 to 1800.

John Dickinson, Writings; edited by P. L. Ford. (Publications of the Historical Society of Pennsylvania, vol. XIV). Philadelphia, 1895.

Federal Convention of 1787, Records; edited by M. Farrand. 3 vols. New Haven, 1911. This collection has been used by the present writer to a far greater extent than has any other work. The first volume contains, besides the "Proceedings" of the Convention and of the Committee of the Whole House, the author's "Introduction," in which he discusses the various records which he has collected. The official journal is printed for each day, followed by the quasi-official record

of Madison, and the private records of certain other delegates. The second volume concludes the "Proceedings," of the Convention and contains "Proceedings" of the Committee of Detail and drafts of the Constitution. The third volume contains statements of the delegates concerning the Convention, found in private correspondence, orations, et cetera, a list of the delegates, their credentials, and dates of attendance. Material on the Virginia, Pinckney, New Jersey and Hamilton plans follows, and the volume is concluded by an index "by Clauses of the Constitution" and by a "General Index."

Alexander Hamilton, Papers in The Federalist; P. L. Ford edition of The Federalist. New York, copyrighted 1898.

Alexander Hamilton, Works; edited by J. C. Hamilton. 7 vols. New York, 1850-51. Less complete than the Lodge edition but superior in that it contains answers to many of Hamilton's letters. The references in the present thesis are to this edition.

Alexander Hamilton, Works; edited by H. C. Lodge. 9 vols. New York, 1885-86.

John Jay, Correspondence and Public Papers; edited by H. P. Johnston. 4 vols. New York, 1890-93.

John Jay, Papers in The Federalist; see above, Hamilton.

Rufus King, Life and Correspondence; edited by C. R. King. New York, 1894-1905.

James Madison, Papers in The Federalist; see above, Hamilton.

G. R. Minot, History of the Insurrections in Massachusetts; see below, Secondary Material.

James Monroe, Writings; edited by S. M. Hamilton. 7 vols. New York, 1898-1903.

Samuel Seabury, Life and Correspondence; E. E. Beardsley. 2nd edition, Boston, 1881.

George Washington, Writings; edited by W. C. Ford. 14 vols. New York, 1889-93.

II Secondary Material

1. General Works

J. S. Bassett, A Short History of the United States. New York, 1914.

P. J. Blok, History of the People of the Netherlands; English translation by R. Putnam and O. Bierstadt. 4 vols. New York and London, 1898-1907.

H. L. Cannon, Reading References for English History. Boston, etc., copyrighted 1910.

E. Channing, A. B. Hart, F. J. Turner, Guide to the Study and Reading of American History. Boston and London, 1914.

Encyclopaedia Britannica. 9th edition. 24 vols. Philadelphia, 1875-89. 11th edition. 29 vols. Cambridge and New York, 1910-1911. References are to the latter edition unless otherwise noted.

J. N. Larned (editor), Literature of American History. Boston, 1902.

T. E. May, Constitutional History of England. 3 vols.

London, 1912.

J. L. Motley, Rise of the Dutch Republic. 3 vols. New York, 1868-69.

New International Encyclopaedia; 2nd edition. 23 vols. New York, 1914-1916.

2. Works on Special Subjects

C. F. Adams, Life of John Adams; (Vol. I of Life and Works of John Adams). Boston, 1856.

C. A. Beard, Economic Interpretation of the Constitution of the United States. New York, 1913.

E. E. Beardsley, Life and Correspondence of Samuel Seabury; see above Source Material.

T. H. Benton, Thirty Years' View ... of the American Government ... from 1820-1850. 2 vols. New York, 1856-58.

M. D. Conway, Omitted Chapters of History Disclosed in the Life and Papers of Edmund Randolph. 2nd edition, New York, 1889.

W. S. Culbertson, Essay on Alexander Hamilton, New Haven and London, 1911.

M. Farrand, Framing of the Constitution. New Haven, 1913.

J. Fiske, Critical Period of American History, 1783-1789. 5th edition, Boston and New York, 1889.

H. E. Francis, The Grand Dutchy of Warsaw. Senior thesis, University of Illinois, 1916. Unpublished.

W. Hunt, The History of England from the Accession of George III to the Close of Pitt's First Administration.

(Hunt's Political History of England, vol. X). London, 1905.

F. Kapp, The Life of Frederick William Von Steuben. New York, 1859.

R. Krauel, Prince Henry of Prussia and the Regency of the United States, 1786. (American Historical Review, Oct. 1911, pp. 44-51). London, 1912.

H. C. Lodge, Alexander Hamilton. (American Statesmen). Boston, 1896.

H. W. van Loon, The Rise of the Dutch Kingdom, 1795-1813. Garden City, 1915.

R. H. Lord, The Second Partition of Poland. (Harvard Historical Studies, vol. XXIII). Cambridge, 1915.

G. R. Minot, The History of the Insurrections in Massachusetts in the year Seventeen Hundred and Eighty-Six and the Rebellion Consequent Thereon. 2nd edition, Boston, 1810. Preface dated Boston, 1788.

North American Review, Review of Elliot's Debates on the Adoption of the Federal Constitution. North American Review, Oct. 1827, pp. 249-278.

C. G. Robertson, English Under the Hanoverians. (Oman's History of England, vol. VI). New York and London, 1911.

G. Shea, The Life and Epoch of Alexander Hamilton. 3rd edition, Boston, 1881.

C. J. Stillé, Life and Times of John Dickinson. (Publications of the Historical Society of Pennsylvania, vol. XIII). Philadelphia, 1891.

J. Story, Commentaries on the Constitution of the United States; 4th edition. 2 vols. Boston, 1873. Includes a "Preliminary Review of the Constitutional History of the Colonies and States before the Adoption of the Constitution."

C. Van Tyne, Loyalists in the American Revolution. New York, 1902.

C. M. Walsh, The Political Science of John Adams. New York and London, 1915. "A Study in the Theory of Mixed Government and the Bicameral System."

W. Wilson, Constitutional Government in the United States. (Columbia University Lectures). New York, 1911.

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